



Tr.C.M.P.No.53 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :18.06.2025

CORAM:

THE HON'BLE MR. JUSTICE P.B. BALAJI

Tr.C.M.P.No.53 of 2025 and C.M.P.No.1061 of 2025

Mrs.Meenatchi Nagajothi Ramasamy

.... Petitioner

VS

R.Naveen

... Respondent

Tr.Civil Revision Petition filed under Section 24 of Civil Procedure Code seeking to withdraw H.M.O.P.No.171 of 2024, pending on the file of Sub Court, Tiruchengode and transfer the same to the file of Family Court, Tiruppur.

For Petitioner

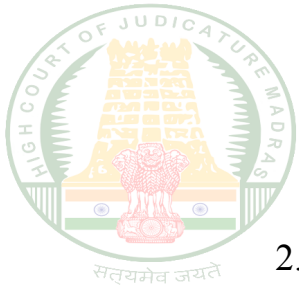
: Mr.R.Pushpalatha

For Respondent

: Mr.Comyles Gandhi

ORDER

The petitioner is the respondent, in HMOP No.171 of 2024, initiated by the husband/respondent herein before Sub Court, Tiruchengode for dissolution of marriage between the petitioner and the respondent.



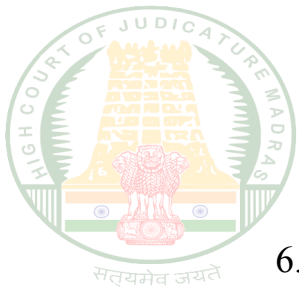
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2. The petitioner/wife, expressing inconvenience to travel approximately 180 kms to attend the hearings at Tiruchengode, has filed the present petition, seeking transfer of the proceedings from Tiruchengode to Family Court, Tiruppur.

3. Learned counsel for the respondent/husband would however state that HMOP No.171 of 2024 is pending only before the Sub Court, Tiruchengode and the presence of the petitioner is not necessary for all hearing dates and hence, the request for transfer need not be entertained.

4. I have considered the submissions made by the learned counsel on either side and gone through the affidavit filed in support of the petition.

5. Apart from the inconvenience that is caused to the petitioner/wife in attending the proceedings, the petitioner states that she has to depend on a third person to support her since the petitioner will have to stay overnight at Tiruchengode and will not be possible to travel the entire distance to and fro in a single day.



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6. No doubt, as rightly pointed out by the learned counsel for the respondent/husband that proceedings are pending before the Sub Court, where the petitioner need not appear on all hearing dates. At the same time, the proceedings, being matrimonial in nature, the petitioner would have to necessarily attend the hearings atleast as and when trial commences and therefore, the request of the petitioner/wife is to be entertained, at the same time, protecting the interest of the respondent/husband as well.

7. Accordingly, Tr.C.M.P.No.53 of 2025 is allowed and HMOP No.171 of 2024 pending on the file of Sub Court, Tiruchengode is withdrawn and the same is transferred to Family Court, Tiruppur.

8. The Sub Court, Tiruchengode is directed to send the entire records relating to HMOP No.171 of 2024 to Family Court, Tiruppur forthwith.

9 . However, in order to balance equities, it is made clear that the Family Court, Tiruppur shall not insist on the physical presence of the respondent/husband on all hearing dates, unless when it is absolutely



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necessary for e.g., either for counselling or for trial (chief or cross examination).

No costs. Consequently, connected miscellaneous petition is closed.

18.06.2025

Index: Yes/No

Website:yes/no

Speaking Order/Non-Speaking Order

sr

To

1. The Subordinate Court, Tiruchengode
2. the Family Court, Tiruppur

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