



Tr.C.M.P.No.87 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.87 of 2025 and C.M.P.No.1766 of 2025

S.Prabhavathy

.... Petitioner

VS

E.Dhanasekar @ Saravanan

... Respondent

Tr.Civil Revision Petition filed under Section 24 of Civil Procedure Code seeking to withdraw HMOP No.284 of 2024 pending on the file of Principal Subordinate Court, Kanchipuram and transfer the same to Family Court, Villupuram.

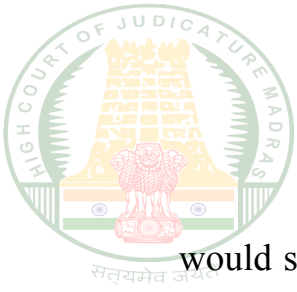
For Petitioner : Mr.T.Prabakaran

For Respondent : Mr.R.Arun Kumar

ORDER

The petitioner/wife seeks transfer of HMOP No.284 of 2024 from the file of Principal Subordinate Court, Kanchipuram and transfer the same to Family Court, Villupuram.

2. Learned counsel for the petitioner, apart from narrating the averments set out in the affidavit filed in support of the transfer petition,

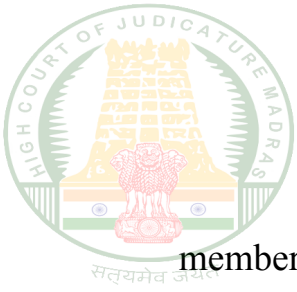


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would state that even on earlier occasion, petitioner has filed HMOP No.149 of 2021 before the very same Subordinate Court, Kanchipuram and the petitioner moved this Court in Tr.C.M.P.No.301 of 2022 seeking transfer of HMOP No.149 of 2021 from the file of Subordinate Court, Kanchipuram to Principal Subordinate Court, Villupuram. This Court, by order dated 07.06.2022, allowed the transfer petition directing transfer of HMOP No.149 of 2021 from the file of Subordinate Court, Kanchipuram to Principal Subordinate Court, Villupuram.

3. Learned counsel for the petitioner further states that subsequently, parties have compromised and settled the matter and therefore OPs were withdrawn. Now, according to the learned counsel for the petitioner, the respondent/husband, in order to harass the petitioner/wife has once again filed HMOP No.284 of 2024 before Subordinate Court, Kanchipuram. Learned counsel further states that the distance between Kanchipuram and Villupuram is 130 kms and the petitioner is required to take care of her minor child and is finding it difficult to attend the hearings at Kanchipuram, she has filed the present petition for transfer.

4. Per contra, learned counsel for the respondent/husband states that the respondent/husband apprehends threat to his life by the petitioner's family



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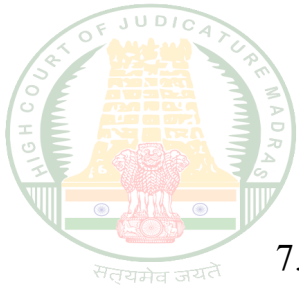
members and even on earlier occasion, the respondent/husband attempted to visit the petitioner and minor son at the residence of the petitioner at Villupuram, but the respondent was physically abused by the petitioner's family members and friends and therefore learned counsel for the respondent/husband seeks transfer of HMOP No.284 of 2024 to any other Court than Family Court, Villupuram.

5. I have carefully considered the submissions made by the learned counsel on either side.

6. Considering the convenience of both the petitioner as well as the respondent, HMOP No.284 of 2024 pending on the file of Principal Subordinate Court, Kanchipuram is withdrawn and transferred to the file of Sub Court, Chengalpet, where the physical presence of both the parties are not necessary and they are entitled to be represented through counsel and attend the Courts only when it is absolutely necessary.

P.B.BALAJI,,J

SR



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7. Accordingly, the Tr. C.M.P. No.987of 2025 is partly allowed and HMOP No.284 of 2024 is withdrawn from the file of Principal Subordinate Court, Kanchipuram and transfer the same to Subordinate Court, Chengalpet.

8. The Principal Subordinate Court, Kanchipuram is directed to send the entire records relating to HMOP No.284 of 2024 to Sub Court, Chengalpet forthwith.

No costs. Consequently, connected miscellaneous petitions are closed.

18.06.2025

Index: Yes/No

Website:yes/no

Speaking Order/Non-Speaking Order

sr

To

1. The Principal Sub Court, Kanchipuram
2. The Family Court, Villupuram
3. The Subordinate Court, Chengalpet

Tr.C.M.P.No.87 of 2025