



WEB COPY

Tr.C.M.P.No.99 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

Tr.C.M.P.No.99 of 2025

& CMP.No.2043 of 2025

Keerthana

... Petitioner

vs.

G.Prasanth

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw H.M.O.P.No.621 of 2024 from the file of the Principal Family Court, Coimbatore and to transfer the same to the file of the Sub Court, Mettur, Salem District.

For Petitioner : Mr.Ma.P.Thangavel
For Respondent : Mr.S.Saravanan

ORDER

The petitioner is the wife in a matrimonial proceeding. The petitioner seeks transfer of HMOP.No.621 of 2024 pending on the file of the Principal Family Court, Coimbatore, to be transferred to the file of the Sub Court, Mettur, Salem District.

2. The learned counsel for the respondent has filed a detailed counter raising serious apprehensions about conducting the case at Salem District.



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3. Mr.Ma.P.Thangavel, learned counsel for the petitioner would state that the allegations made in the counter affidavit are totally unsubstantiated and unwarranted. He would invite my attention to the averments stated in the affidavit filed in support of the transfer petition and seeks transfer of HMOP.No.621 of 2024 from the file of the Principal Family Court, Coimbatore to the file of the Sub Court, Mettur, Salem District. He would specifically state that being a Sub Court, the physical presence of the respondent/husband would also not be required on all hearing dates. Hence, he would pray for the transfer petition to be ordered.

4. Per contra, Mr.S.Saravanan, learned counsel appearing for the respondent would state that the petitioner's uncle is a very influential person and the respondent feels that it would not be safe for him to attend the hearings at Salem District. He would therefore seeks for transfer of HMOP to any other Courts.

5. After hearing the arguments advanced by the learned counsel on either side, I have come to know that the petitioner wife is employed at Krishnagiri and therefore it would be just and proper taking into account the



convenience of the petitioner being more important, to transfer the HMOP
to the Sub Court, Krishnagiri.

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6. The counsel for the respondent has no serious objection for transferring of HMOP NO.621 of 2024 to the Sub Court, Krishnagiri.

7. In the light of the above, the Transfer Civil Miscellaneous Petition is allowed. The case in HMOP.No.621 of 2024 is withdrawn from the Principal Family Court, Coimbatore and transferred to the Sub Court Krishnagiri. The Sub-Court, Krishnagiri shall not insisted upon the physical presence of both the parties, unless their presence is absolutely necessary for the purposes of chief/cross examination and the parties are permitted to be represented by their counsel or authorised agents on other dates. There shall be no order as to costs. Connected Civil Miscellaneous Petition is closed.

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vum

Index : Yes/No

Speaking Order : Yes / No

Neutral Citation : Yes / No

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P.B. BALAJI,J.

vum

To

1. The Principal Family Court, Coimbatore.
2. The Sub Court, Krishnagiri.

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