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Tr.CMP.No.245 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2025

CORAM :

THE HONOURABLE MR. JUSTICE P.B. BALAJI

Tr.CMP.No.245 of 2025

and

CMP.No.4773 of 2025

Harini @ Anusha

...Petitioner

Vs.

S.Sudharshan @ Abhi

...Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw the HMOP.No.185 of 2024, pending on the file of the Hon'ble Subordinate Court, Tambaram, Chennai and transfer to the Hon'ble Subordinate Court, Hosur.

For Petitioner : Mr.M.P.Saravanan

For Respondent : Ms.R.Priyanka

ORDER

The petitioner/wife seeks transfer of HMOP.No.185 of 2024, pending on the file of the Subordinate Court, Tambaram, Chennai to the file of the Subordinate Court, Hosur.



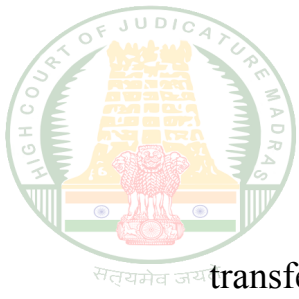
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WEB COPY 2. Learned counsel for the petitioner/wife submits that, the petitioner/wife is a resident of Hosur and subsequent to the HMOP proceedings initiated by the respondent/husband, the petitioner has also filed a Maintenance claim in M.C.No.11 of 2024 before the Sub Court, Hosur. The petitioner, expresses inconvenience to travel all the way from Hosur to Tambaram, Chennai to attend the proceedings in HMOP.No.185 of 2024 initiated by the respondent/husband.

3. Per contra, the learned counsel for the respondent/husband would also express certain inconveniences to the respondent/husband to attend the proceedings in Hosur, in view of his requirement to be at Chennai to take care of his age old parents.

4. I have heard the learned counsel for the parties and I have also gone through the affidavit filed in support of this transfer petition.

5. In order to balance equities and also taking into account that in matrimonial proceedings and transfer of such proceedings, the paramount consideration should be that of the wife's, this Court, while ordering



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transfer of HMOP.No.185 of 2024 from the file of the Subordinate Court, Tambaram, Chennai to the Subordinate Court, Hosur as prayed for, makes it clear that, the Sub Court, Hosur shall not insist upon the physical presence of the respondent/husband on all hearing date, except when it would be absolutely necessary. The Sub Court, Hosur shall try HMOP.No.185 of 2024 which is being transferred to its file along with M.C.No.11 of 2024.

6. Accordingly, this Transfer Civil Miscellaneous petition is allowed. There shall be no order as to costs. Consequently, the connected Civil Miscellaneous Petition is closed.

18.07.2025

skt

Index : Yes / No
Speaking order : Yes / No
NCC : Yes / No

To

- 1.The Subordinate Court,
Tambaram, Chennai.
- 2.The Subordinate Court,
Hosur.



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P.B.BALAJI, J.

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