



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.06.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

Tr.CMP.No.208 of 2025

& CMP.No.4066 of 2025

A.Sivakalai

... Petitioner

Vs.

K.Ragu

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of CPC, to withdraw O.P.No.192 of 2024 pending on the file of the IV Additional District Court, Tirunelveli and transfer the same to the file of the Family Court, Chennai.

For Petitioner : Mr.G.Sriram

For Respondent : Mr.A.Suresh

ORDER

The petitioner has sought for transfer of O.P.No.192 of 2024 from the file of the IV Additional District Court, Tirunelveli, to the file of the Family Court, Chennai.



2.I have heard Mr.G.Sriram, learned counsel for the petitioner and Mr.A.Suresh, learned counsel for the respondent.

3.The learned counsel for the petitioner stated that the petitioner is residing in Maduravoyal and also taken up a rental premises and also employed in Chennai and hence, she is unable to attend the hearings before the Court at Tirunelveli. However, the learned counsel for the respondent/husband states that considering that the petitioner is residing in Maduravoyal, the proceedings can be transferred to the Sub-Court, Poonamallee, where the presence of the respondent/husband will not be mandatory for all the hearings.

4.I have carefully considered the submissions made by the learned counsel on either side and I have also gone through the documents filed support of the transfer petition.

5.It is seen that the petitioner/wife is taking care of her two children, one is studying in a school at Nerkundram, which is closer to her place of residence and the second child, who is aged 3 years as on date, is going to



Anganwadi Centre. Therefore it would be the interest of both the parties that if O.P.No.192 of 2024 is transferred to the file of the Sub Court, Poonamallee, where the physical presence of the parties will not be insisted upon in all the hearings.

6.Considering the above, this Transfer Civil Miscellaneous Petition is allowed. The case in O.P.No.192 of 2024 is hereby withdrawn from the file of the IV Additional District Court, Tiruvelveli, and transferred to the file of the Sub-Court, Poonamallee. However, the Sub-Court, Poonamallee, shall permit the parties to be represented by their counsel or authorised agents, except during the stage of trial. On all the hearings, physical presence of the parties shall not be insisted upon when it is absolutely necessary. There shall be no order as to costs. Connected Civil Miscellaneous Petition is closed.

17.06.2025

Speaking/Non-speaking : Yes/No
Index : Yes / No
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To

- 1.The IV Additional District Court, Tirunelveli.
- 2.The Sub-Court, Poonamallee.

3/4



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P.B. BALAJI,J.

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