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Tr.C.M.P.No.221 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.221 of 2025

& CMP.No.4252 of 2025

M.Usha

... Petitioner

vs.

K.Dhiliban Senthil Arumugam

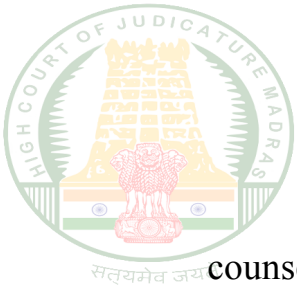
... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw H.M.O.P.No.407 of 2024 from the file of the Family Court, Thoothukudi and to transfer the same to the file of the Sub Court, Tambaram.

For Petitioner : Mr.S.Sivakumar
For Respondent : Mr.Deepan Uday

ORDER

The petitioner is the wife in a matrimonial proceeding. The petitioner seeks transfer of H.M.O.P.No.407 of 2024 pending on the file of the Family Court, Thoothukudi, to be transferred to the file of the Sub Court, Tambaram.

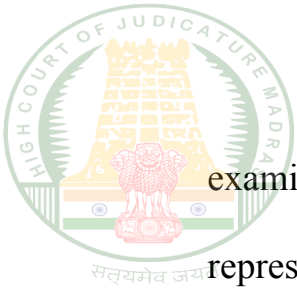


2. Heard the learned counsel for the petitioner as well as the learned counsel for the Respondent.

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3. The learned counsel for the respondent would fairly submit that the respondent has no serious objection for transfer to be ordered as prayed for by the petitioner / wife. However, he only seeks for a direction to the sub Court, Tambaram not to insist on the physical presence of the respondent/husband for all hearings.

4. In view of the above, there can be no impediment for transfer of HMOP NO.407 of 2024 from the file of the Family Court, Thoothukudi to the file of Sub Court, Tambaram. At the same time, in order to protect the interest of the respondent/husband as well, while this Transfer Civil Miscellaneous Petition is allowed and the case in HMOP NO.407 of 2024 is hereby withdrawn from the file of the Family Court, Thoothukudi and transferred to the file of the Sub Court, Tambaram and a direction is given to the Sub Court, Tambaram not to insist on the physical presence of the respondent/husband for all hearings and his presence may be required only for hearings where it is absolutely necessary, for example, the chief



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examination/cross examination. On all other hearing dates, he can be represented by his counsel or authorised agent. There shall be no order as to costs. Connected Civil Miscellaneous Petition is closed.

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Index : Yes/No

Speaking Order : Yes / No

Neutral Citation : Yes / No

To

1. The Family Court, Thoothukudi.
2. The Sub Court, Tambaram.

P.B. BALAJI,J.

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