



WEB COPY

TR CMP No. 276 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-07-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

TR CMP No. 276 of 2024

and

CMP No. 5688 of 2024

Vinothini

Petitioner(s)

Vs

Manavalan

Respondent(s)

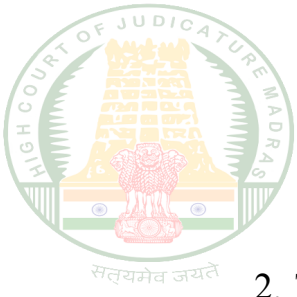
PRAYER: This transfer civil miscellaneous petition has been filed u/s 24 of Code of Civil Procedure, 1908 seeking to withdraw the HMOP No. 180 of 2022 on the file of Subordinate Judge, Chidambaram and transfer to the Sub Court, Sirkazhi.

For Petitioner(s): M/s.Om Sai Ram

For Respondent(s): M/s.C.Prakasam

ORDER

The petitioner / wife seeks transfer of proceedings in HMOP.No.180 of 2022 from the file of Subordinate Court, Chidambaram to the file of Sub Court, Sirkazhi.



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2. The learned counsel for the petitioner states that the petitioner has to take care of her three minor children and finding it difficult to attend the proceedings before the Subordinate Court, Chidambaram.

3. Per contra the learned counsel for the respondent / husband would state that for the last one year, the petitioner has been attending the proceedings before the Subordinate Court, Chidambaram without any difficulty and he has serious apprehension with regard to the request for transfer the to Sub Court, Sirkazhi, where the FIR's are pending as against not only the petitioner, but also the respondent. The learned counsel would therefore pray for the matter being transferred to Sub Court, Mayiladuthurai.

4. However, considering the fact that the petitioner has not chosen to come forward with any request for transfer for more than three years now and also in view of the fact that the proceedings are only before the Sub Court, where the physical appearance is not mandatory, I direct the Subordinate Court,



Chidambaram to dispose of the HMOP.No.180 of 2022 within a period of three

months from the date of receipt of a copy of this order. The Sub Court shall not

insist on the presence of the petitioner / wife for all hearing dates, except for

hearings where her presence is absolutely necessary for the purposes of chief

and cross examination. On all other dates, the petitioner wife shall be entitled to

be represented by a counsel of her choice.

5. With the above observations and direction, this transfer civil miscellaneous petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

17-07-2025

RAP

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. Subordinate Court, Chidambaram.

2. Sub Court, Sirkazhi.



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P.B.BALAJI J.

RAP

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