



WEB COPY

TR CMP No. 352 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-07-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

TR CMP No. 352 of 2024

AND

CMP NO. 7399 OF 2024

V.Malligaa

Petitioner(s)

Vs

R.Vignesh

Respondent(s)

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure, to withdraw the H.M.O.P.No.34 of 2024 pending on the file of Family Court, Tiruppur and transfer the same to Family Court, Chennai.

For Petitioner(s): Ms.V.Anuradha

For Respondent(s): Mr.S.Prabhu
for Mr.B.Dhanasekar

ORDER

The petitioner is the wife, who is arrayed as respondent in H.M.O.P.No.34 of 2024 pending on the file of Family Court, Tiruppur. The petitioner has sought for transfer of said proceedings to the file of Family Court, Chennai, where the



petitioner ordinarily resides.

WEB COPY

2. The learned counsel for the petitioner states that the petitioner is having a 7 years old child, presently studying school at Chennai and citing inconvenience to attend all the hearing at the Family Court, Tiruppur, seeks transfer.

3. The learned counsel for the respondent would submit that the respondent is suffering from severe back pain and he is taking treatment. Therefore, he would find it very inconvenient to travel from Tiruppur to Chennai, if the case in H.M.O.P.No.34 of 2024 is transferred at the request of the petitioner/wife.

4. I have carefully considered the submissions made by the learned counsel on either side and perused the materials available on record.

5. Admittedly, the paramount consideration in such matters of transfer



WEB COPY

request made in matrimonial proceedings, should be the convenience of the wife. However, in view of the fact that the respondent has also stated that he is suffering from severe back pain, even if the transfer request is acceded to, the interest of the respondent also has to be taken care of. Accordingly, the transfer civil miscellaneous petition is ordered and the case in H.M.O.P.No.34 of 2024 is withdrawn from the file of the Family Court, Tiruppur and transferred to the file of the Family Court, Chennai, to be taken up either by Principal Family Court or by any of the Additional Judges, subject to the pendency of the cases before the Family Courts, Chennai. It is made clear that the transferee Court shall not insist on the physical presence of the respondent, except where it would be absolutely necessary and permit the respondent/husband to be represented by his counsel on all other hearing dates. There shall be no order as to costs. Consequently, connected Civil Miscellaneous Petition is closed.

08.07.2025

jd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



WEB COPY

TR CMP No. 352 of 2024



P.B.BALAJI J.
jd

To

1. The Principal Family Court, Chennai.
2. The Family Court, Tiruppur.

TR CMP No. 352 of 2024

08.07.2025