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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2025

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THE HONOURABLE MR JUSTICE P.B. BALAJI

Tr.CMP.No.340 of 2025

and

CMP.No.7573 of 2025

Sara Sushma Barani @ Sushma Barani

... Petitioner

Vs.

R.Rajkumar

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw I.D.O.P.No.408 of 2024 on the file of Principal District Court, Thiruvallur and transfer the same to the Principal District Court, Kancheepuram District.

For Petitioner : Mr.G.Kaviyarasu

For Respondent : Mr.R.Vinayaga Vishnu



ORDER

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Heard the learned counsel for the petitioner and the learned counsel for the respondent.

2.The petitioner is the wife in IDOP.No.408 of 2024 proceedings pending before the Principal District Court, Thiruvallur. The petitioner seeks transfer of I.D.O.P.No.408 of 2024 from the file of the Principal District Court, Thiruvallur to the file of the Principal District Court, Kancheepuram.

3. I have gone through the counter affidavit and the typed set of papers filed by the respondent. Apart from setting out the facts and merits of the IDOP, no serious objections appear to have been raised in the counter affidavit regarding the transfer.

4. The only objection raised by the respondent is that, if the transfer petition is allowed, he would be subjected to hardship and that there would be a threat to his safety and well-being if he is compelled to appear before



the Court in Kancheepuram, as the petitioner's family is said to have considerable influence in that locality.

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5. The petitioner, on the other hand, submits that although she initially filed the IDOP before the Principal District Court, Thiruvallur, following the demise of her father, she is now unable to travel to Thiruvallur to attend the proceedings. She also states that she has to take care of her aged mother, who is suffering from heart ailments. Therefore, she has sought transfer of the IDOP proceedings from the Principal District Court, Thiruvallur, to the Principal District Court, Kancheepuram.

6. It is also noted that the physical presence of the respondent before the Principal District Court, Kancheepuram, will not be required on all hearing dates. Therefore, the apprehensions raised by the respondent do not merit any consideration.

7. Accordingly, the transfer petition is allowed. The IDOP proceedings pending before the Principal District Court, Thiruvallur, are transferred to the file of the Principal District Court, Kancheepuram. It is



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further directed that the Principal District Court, Kancheepuram, shall not insist on the physical presence of the respondent on all hearing dates, except where it is absolutely necessary. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

25.07.2025

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

1. The Principal District Court, Thiruvallur.
2. The Principal District Court, Kancheepuram District.
3. The Section Officer,
V.R.Section,
High Court, Madras.



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P.B. BALAJI,J.

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