



WEB COPY



TR.CMP.No.334 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2025

CORAM :

THE HONOURABLE MR. JUSTICE P.B.BALAJI

TR.CMP.No.334 of 2025

and

CMP.No.7313 of 2025

Supriya

...Petitioner

Vs.

Vimal Raj

...Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw the petition in I.A.No.1 of 2024 in unnumbered HMOP.No. of 2024 on the file of the learned Subordinate Judge, Devakottai and transfer the same to the Subordinate Court, Ambattur.

For Petitioner : Mr.M.P.Saravanan

For Respondent : Mr.K.B.Vivekanandhan



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ORDER

The petitioner/wife seeks transfer of unnumbered HMOP.No. of 2024 pending on the file of the Subordinate Court, Devakottai to the file of the Subordinate Court, Ambattur.

2. It is the main grievance of the petitioner/wife that, she resides in Ambattur, Chennai and she has to travel about 500 Kms to attend the HMOP proceedings before the Subordinate Court, Devakottai, which would be very much inconvenient for her. Hence, the petitioner/wife has come forward with the present transfer petition.

3. Per contra, the learned counsel for the respondent/husband inviting my attention to the averments set out in the HMOP petition states that there is life threat to the respondent/husband if he is compelled to attend the HMOP proceedings before the Subordinate Court, Ambattur. Hence, he strongly opposed the transfer request made by the petitioner/wife.



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4. I have heard the learned counsel on either side and I have also perused the affidavit filed in support of this transfer petition.

5. Taking into account the residence of the petitioner/wife being at Ambattur and also proximity to the Family Court, Chennai and at the same time, addressing the apprehension of the respondent/husband, in order to balance equities, this Court, deems it fit to transfer the unnumbered HMOP.No. of 2024 pending on the file of the Subordinate Court, Devakottai to the file of the Principal Family Court, Chennai, to be either taken up by the Principal Family Court, Chennai or assigned/ allotted to any of the Additional Family Court, Chennai, taking into account the workload/pendency of cases before the Family Courts, Chennai, at the discretion of the learned Principal Judge, Chennai. It is made clear that, the physical presence of the respondent/husband shall not be insisted upon by the Transferee Court during all the hearing dates and the respondent is entitled to be represented by the learned counsel of his choice and he would appear before the Transferee Court, physically only when his presence is absolutely necessary for the purposes such as examination in chief and cross.



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6. With the above observations and directions, this Transfer Civil Miscellaneous Petition stands allowed. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

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skt

Index : Yes / No
Speaking order : Yes / No
NCC : Yes / No

To

1. The Subordinate Court,
Devakottai.

2. The Principal Family Court,
Chennai.



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P.B. BALAJI, J.

skt

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