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Tr.C.M.P.No.396 of 20



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

Tr.C.M.P.No.396 of 2025

& CMP.No.9009 of 2025

A.Nivetha

... Petitioner

vs.

C.Naveen Kumar

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 151 of Code of Civil Procedure to withdraw the FCOP.No.41 of 2025 pending on the file of the Family Court at Vellore and transfer the same to the Sub Court, Mayiladuthurai.

For Petitioner : Mr.V.Gurumoorthy

For Respondent : Mr.Kaja Navas

ORDER

The petitioner/wife seeks transfer of the proceedings in FCOP.No.41 of 2025 pending on the file of the Family Court at Vellore and transfer the same to the Sub Court, Mayiladuthurai.

2.The case of the petitioner is that she is employed with the company viz., Capgemini and she is working from home at Mayiladurai and she is unable to attend the hearing at Vellore.



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3. Learned counsel for the respondent during the last hearing, asserted that the petitioner is working only in Chennai and resides at Chennai. Counsel for the petitioner was therefore called upon to meet the said statement of the learned counsel for the respondent.

4. Today, the learned counsel for the petitioner has produced the E-mail communication dated 03.07.2025, from the Employer, Capgemini addressed to the petitioner stating that the petitioner has been in the Company from April 2024, and the petitioner has obtained special approval to work from home, due to the personal reasons, after she joined the company and that she has been working from home. I am satisfied that the petitioner, therefore, does not reside in Chennai.

5. In the light of the above, the Transfer Civil Miscellaneous Petition is allowed and case in FCOP.No.41 of 2025 on the file of the Family Court at Vellore is hereby withdrawn and transferred to the file of Sub Court, Mayiladuthurai. Protecting the interest of the respondent/husband, the physical presence of the respondent/husband before the Sub Court, Mayiladuthurai, may not be insisted upon, unless his presence is absolutely necessary for the purposes of chief/cross examination and not for other



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hearings. There shall be no order as to costs. Connected Civil Miscellaneous

Petition is closed.

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04.07.2025

Speaking/Non-speaking : Yes/No

Index : Yes / No

Internet : Yes / No

msv

To

1.The Sub Court, Mayiladuthurai

2.The Family Court ,Vellore



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P.B. BALAJI,J.

msv

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