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TR.C.M.P.No.415 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2025

CORAM

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

TR.C.M.P.No.415 of 2024
and C.M.P.No.8622 of 2024

Mrs.R.Gowsika

...Petitioner

Vs.

Mr.A.Nandhakumar

...Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the case in F.C.O.P.No.110 of 2024, pending on the file of the Learned Family Court, Namakkal and to transfer the same to the file of Learned Family Court, Salem.

For Petitioner	:	Mr.A.Manojkumar
For Respondent	:	Mr.P.T.Rakesh

ORDER

This petition has been filed to withdraw F.C.O.P.No.110 of 2024 pending on the file of the Family Court, Namakkal and transfer the same to the Family Court, Salem.

2.Heard the learned counsel for the petitioner and perused the



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materials available on record.

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3.Learned counsel for the petitioner would submit that the petitioner is unable to travel around 55 kms to attend every hearing before the Family Court, Namakkal along with her 2 years kid, who is also under the care of frequent clinical observation. Learned counsel would further submit that the petitioner is struggling with child to meet out day to day expenses and she is under the shelter of her widow mother, who is not in a financial position for the expenditure incurred to attend the Court proceedings. It is the specific contention of the learned counsel for the petitioner that no prejudice would be caused to the respondent, if the transfer request made by the petitioner/wife is acceded to and if decided otherwise, she will be put to irreparable loss and hardship.

4.Per contra, learned counsel appearing for the respondent would submit that the respondent is working as Core Engineer in Telecom department. Further would submit that he is residing in Namakkal and his personal appearance may be dispensed with.

5.I have gone through the affidavit filed in support of the transfer



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petition as well. I find merit in the submissions made by the learned
counsel for the petitioner.

6.Considering the submission made by the learned counsel for the respondent, the personal appearance of the petitioner in F.C.O.P.No.110 of 2024 on the file of the Court of Family Court, Salem, is dispensed with. It is also made clear that the petitioner shall engage a counsel to contest the case on his behalf before the Family Court, Salem and the petitioner shall appear in person before the Court concerned as and when his personal appearance is required before the Court below.

7.In view of the above and also subsequent developments that have been highlighted by the learned counsel for the petitioner, there can be no impediment for TR.C.M.P.No.415 of 2024 being allowed as prayed for. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. The case in F.C.O.P.No.110 of 2024 is hereby withdrawn from the file of the Family Court, Namakkal and transferred to the file of the Family Court, Salem. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes/ No
Speaking (or) Non Speaking Order



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Neutral Citation: Yes/No
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M.JOTHIRAMAN, J.

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To

- 1.The Family Court,
Namakkal.
- 2.The Family Court,
Salem.

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