



WEB COPY

TR CMP No. 374 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-06-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

TR CMP No. 374 of 2025

and

CMP No. 8323 of 2025

J.E. Nivetha

Petitioner(s)

Vs

S. Vignesh

Respondent(s)

PRAYER: This transfer civil miscellaneous petition is filed under Section 151 of Civil Procedure Code seeking to withdraw the OP.No.526 of 2025 on the file of 2nd Additional Family Court, Chennai and transfer the same to Family Court, Tirupattur.

For Petitioner(s): M/s.R. Rajarajan

For Respondent(s): M/s.R.Sumithra Chakkaravarthi

ORDER

This transfer miscellaneous petition is filed seeking to withdraw the OP.No.526 of 2025 on the file of II Additional Family Court, Chennai and transfer the same to Family Court, Tirupattur.



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2. The petitioner is the wife who is arrayed as respondent in O.P.No.526 of 2025 before the II Additional Family Court, Chennai. The petitioner being a resident of Tirupattur has sought for transfer of the said proceedings to the file of Family Court Tirupattur. It is also brought to my notice that the petitioner is having custody of a one year minor girl child and therefore it would be virtually impossible for the petitioner to attend the hearings before the Family Court, Chennai.

3. Per contra, the learned counsel for the respondent states that there is no Family Court in Tirupattur and moreover the petitioner herself has filed O.P.No.52 of 2025 before the Sub Court, Tirupattur. She would also state that, there is serious threat to the life and security of the respondent, if he is forced to appear before the Sub Court, Tirupattur as Tirupattur is the native place of the petitioner and her family, who are very influential. She would also state that there are many incidents in the past where the respondent has been abused and threatened. She therefore prayed for suitable directions to protect the interest of



the respondent-husband.

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4. I have carefully considered the submission of the learned counsel for the parties.

5. Admittedly, the petitioner is having the duty to take care of her one year old minor girl child and it would not be possible for her to attend the proceedings at Family Court, Chennai. In view of the pendency of O.P.No.52 of 2025 filed by the petitioner herself before the Sub Court, Tirupattur, it would be just and proper to transfer O.P.No.526 of 2025 from the file of II Additional Family Court Chennai to the Sub Court Tirupattur, to be jointly tried along with O.P.No.52 of 2025.

6. The learned counsel for the petitioner shall advice the petitioner not to precipitate the matter by issuing threats to the respondent-husband when he appears before the Courts in Tirupattur. It is made clear that the respondent's physical presence shall not be insisted upon by the Sub Court, Tirupattur unless



it is absolutely necessary. In fine, the transfer civil miscellaneous petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

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27-06-2025

RAP

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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WEB **TO**

1. The Family Court, Tirupattur
2. The 2nd Additional Family Court, Chennai



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P.B.BALAJI J.

RAP

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