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Tr.C.M.P.No.385 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

Tr.C.M.P.No.385 of 2025

& CMP.No.8578 of 2025

Kowsalya

... Petitioner

vs.

Karthikeyan

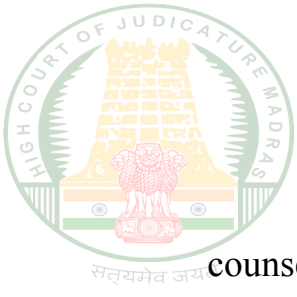
... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw H.M.O.P.No.169 of 2024 from the file of the Subordinate Court, Udumalpet, Tiruppur District and to transfer the same to the file of the Sub Court, Aruppukottai at Virudhunagar District.

For Petitioner : Mr.V.Ayyappan
For Respondent : Mr.M.N.Balakrishnan

ORDER

The petitioner is the wife in a matrimonial proceeding. The petitioner seeks transfer of H.M.O.P.No.169 of 2024 pending on the file of the Subordinate Court, Udumalpet, Tiruppur District, to be transferred to the file of the Sub Court, Aruppukottai at Virudhunagar District.



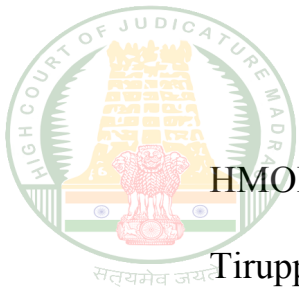
2. Heard the learned counsel for the petitioner as well as the learned counsel for the Respondent.

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3. The learned counsel for the petitioner states that the petitioner is blessed with a girl child on 31.05.2022. The petitioner has expressed her inconvenience in attending the hearings at the Subordinate Court, Udumalpet, Tiruppur District. Hence, she seeks transfer of H.M.O.P.No.169 of 2024 from the file of the Subordinate Court, Udumalpet, Tiruppur District, to the file of the Sub Court, Aruppukottai at Virudhunagar District.

4. The learned counsel for the respondent would fairly submit that the respondent has no serious objection for transfer to be ordered as prayed for by the petitioner / wife, except for denying the allegations stated in the affidavit filed in support of the transfer petition. However, he also seeks for a direction to the Sub Court, Aruppukottai at Virudhunagar District not to insist on the physical presence of the respondent/husband for all hearings.

5. In view of the above, there can be no impediment for transfer of



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HMOP NO.169 of 2024 from the file of the Subordinate Court, Udumalpet, Tiruppur District to the file of Sub Court, Aruppukottai at Virudhunagar District.

At the same time, in order to protect the interest of the respondent/husband as well, while this Transfer Civil Miscellaneous Petition is allowed and the case in HMOP No.169 of 2024 is hereby withdrawn from the file of the Subordinate Court, Udumalpet, Tiruppur District and transferred to the file of the Sub Court, Aruppukottai at Virudhunagar District and a direction is given to the Sub Court, Aruppukottai at Virudhunagar District not to insist on the physical presence of the respondent/husband for all hearings and his presence may be required only for hearings where it is absolutely necessary, for example, the chief examination/cross examination. On all other hearing dates, he can be represented by his counsel or authorised agent. There shall be no order as to costs. Connected Civil Miscellaneous Petition is closed.

11.06.2025

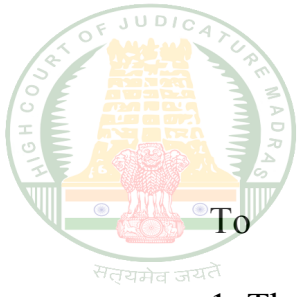
vum

Index : Yes/No

Speaking Order : Yes / No

Neutral Citation : Yes / No

P.B. BALAJI.J.



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vum

To

1. The Subordinate Court, Udumalpet, Tiruppur District.
2. The Sub Court, Aruppukottai at Virudhunagar District.

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& CMP.No.8578 of 2025

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