



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.06.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

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Tr.C.M.P.No.386 of 2025

& C.M.P.Nos.8610 and 8613 of 2025

Monisha

... Petitioner

vs.

Muthukumar

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw H.M.O.P.No.100 of 2025 on the file of the Family Court, Pondicherry and to transfer the same on the file of the Sub-Court, Panruti, Cuddalore District, by allowing this Transfer Civil Miscellaneous Petition.

For Petitioner : Mr.R.Marudhachalamurthy

For Respondent : Mr.E.V.Chandru

ORDER

The petitioner is the wife and seeks transfer of H.M.O.P.No.100 of 2025 on the file of the Family Court, Pondicherry, to the file of the Sub-Court, Panruti, Cuddalore District.

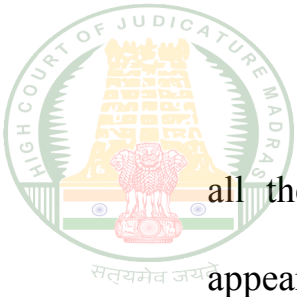


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2. The learned counsel appearing for the petitioner submits that the petitioner is dependent on her parents and she is unable to travel alone, especially when there is a threat having been issued by the respondent.

3. Per contra, the learned counsel appearing for the respondent submits that the fact is otherwise, it is only the respondent who has been threatened and not the wife. He further submits that the distance between the two Courts is 45 kms only and there will be no inconvenience to the petitioner/wife in appearing before the Family Court, Pondicherry itself.

4. On going through the averments set out in the affidavit filed in support of this petition and carefully considering the submissions made on either side, I find that the petitioner's request for transfer of H.M.O.P.No.100 of 2025 can be entertained especially in the light of the averments set out in the transfer application. At the same time, the interest of the respondent/husband should also be taken into account. As the transfer of the case is being ordered to the file of the Sub Court, Panruti, Cuddalore District, it is made clear that the Sub Court, Panruti, Cuddalore District, shall not insist upon the physical appearance of the respondent/husband for



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all the hearing dates, except for the hearing dates where the physical appearance of the respondent will be absolutely necessary for e.g., chief-examination and cross-examination. It is made clear that the petitioner/wife shall not cause any inconvenience to the respondent/husband through her relatives and shall enable the respondent/husband to appear before the Sub Court, Panruti, Cuddalore District, for the hearing dates where his presence is required, without any fear.

5. With the above directions, this Transfer Civil Miscellaneous Petition is ordered as prayed for. H.M.O.P.No.100 of 2025 is hereby withdrawn from the file of the Family Court, Pondicherry and transferred to the file of the Sub Court, Panruti, Cuddalore District. The Sub Court, Panruti, Cuddalore District, shall expedite the hearing in H.M.O.P.No.100 of 2025 and dispose of the same on or before 31.01.2026. There shall be no order as to costs. Connected miscellaneous petitions are closed.

04.06.2025

ssb

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes / No

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To

1.The Family Court, Pondicherry.

2.The Sub Court, Panruti, Cuddalore District.



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P.B. BALAJI,J.

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