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TR CMP No. 447 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2025

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THE HONOURABLE MR.JUSTICE P.B. BALAJI

TR CMP No. 447 of 2025

AND

CMP NO. 10336 OF 2025

Rajeshwari @ Mery
W/o. Imanuvel Palraj,
Shyam Appartment Block-4,
North Jeganathan Nagar, Villivakkam,
Chennai 600 049.

Petitioner(s)

Vs

Imanuvel Palraj
S/o. Chinna Shanmugam,
No. 4, Gandhi Nagar,
7th Street, Achiruppakkam,
Madhurandhagam, Chengalpet District.

Respondent(s)

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure, to withdraw the case IDOP No.307 of 2023 on the file of the Principal Family Court at Chengalpet and transfer to Principal Family Court at Chennai.

For Petitioner(s): Mr.T.Vijayan

For Respondent(s): Mr.R.Rajadurai



ORDER

The petitioner is the wife who is arrayed as respondent in IDOP No.307 of 2023 on the file of the Principal Family Court, Chengalpet.

2. The petitioner has sought for transfer of said proceedings to the file of Principal Family Court, Chennai, citing inconvenience to travel long distance and also considering the dependency on her family members to undertake travel to attend hearings at the Principal Family Court, Chengalpet.

3. The learned counsel for the respondent would submit that the respondent is suffering from several health issues and he would find it very inconvenient to travel from Acharappakkam to Chennai, if the case in IDOP No.307 of 2023 is transferred at the request of the petitioner/wife.

4. I have carefully considered the submissions made by the learned counsel on either side and perused the materials available on record.

5. Admittedly, the paramount consideration in such matters of transfer



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request made in matrimonial proceedings, should be the convenience of the wife. Besides that, in view of the fact that the respondent has also stated that he is suffering from various health ailments, even if the transfer request is acceded to, the interest of the respondent also has to be taken care of. Accordingly, the transfer civil miscellaneous petition is ordered and the case in IDOP No.307 of 2023 is withdrawn from the file of the Principal Family Court, Chengalpet and transferred to the file of the Family Court, Chennai, to be taken up either by Principal Family Court or by any of the Additional Judges, subject to the pendency of the cases before the Family Courts, Chennai. It is made clear that the transferee Court shall not insist on the physical presence of the respondent, except where it would be absolutely necessary and permit the respondent/husband to be represented by his counsel on all other hearing dates. There shall be no order as to costs. Consequently, connected Civil Miscellaneous Petition is closed.

30-06-2025

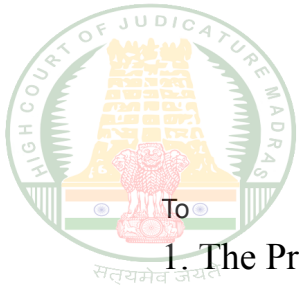
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

1. The Principal Family Court, Chennai.
2. The Principal Family Court, Chengalpet.

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P.B.BALAJI J.
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