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Tr.CMP.No.449 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.04.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr.CMP.No.449 of 2025
and CMP.No.10350 of 2025

1.Manicka Jayasimman
2.R.Manimaran
3.M.Velvizhi
4.Kalpana
5.Pappu
6.Suseela
7.Aparna Daisy

... Petitioners

Vs.

P.Nalini

... Respondent

Prayer: Transfer Petition filed under Sec.24 of CPC praying to withdraw the case in D.V.C.No.28 of 2024 on the file of Additional Mahila Court, Magistrate-Level at Chengalpattu and transfer the same to any other competent Court within the Chennai District.

For Petitioners : Mr.S.Anbzhagan



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ORDER

The respondent-husband has filed this Transfer CMP seeking to transfer the proceedings in D.V.C.No.28 of 2024 from the file of Additional Mahila Court, Magistrate Level, at Chengalpattu to a competent Court at Chennai.

2. The grounds on which the transfer is sought is that the petitioners 2 to 3 and 6 are aged persons suffering from various ailments and find it difficult to travel all the way to Chengalpattu from Poonamallee. A statement has also been made by the petitioner that he suffers certain apprehension in attending the Court proceedings at Chengalpattu.

3. Heard the learned counsel for the petitioner.

4. The respondent-wife has filed a petition under the Domestic Violence Act, setting out a case of cruelty on her by the petitioners herein. She has also sought for maintenance in the said proceedings, which clearly indicates that the first petitioner-husband has not given her any maintenance.



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The only reason given by the petitioners seeking transfer is that the petitioners 2 to 3 and 6 are aged persons. It is well open to the petitioners to move an appropriate application for dispensing with their appearance before the Court below, and on one such application being filed, the Court below can very well look into it and take a decision on the same.

5. In view of the above, the present Transfer CMP is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

25.04.2025

Index : Yes/No
Neutral Citation : Yes / No
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To:

- 1.The Additional Mahila Court
Magistrate Level at Chengalpattu.
- 2.The Section Officer
VR Section, High Court, Madras.



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P.T. ASHA, J.

ds

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