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Tr. C.M.P.No. 469 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.02.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr. C.M.P.No. 469 of 2023

&

C.M.P. No. 10744 of 2023

J.John Daniel

...Petitioner

Vs.

R.Josphin Asnath

...Respondent

Prayer: Transfer Petition is filed under Section 151 of the CPC, to withdraw and transfer IDOP.No.28 of 2023, pending on the file of the Family Court, Uthagamandalam, to the Sub Court, Mettupalayam.

For Petitioner : Mr. R.Thamaraiselvan

For Respondent : Mr. R.Siddharth



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ORDER

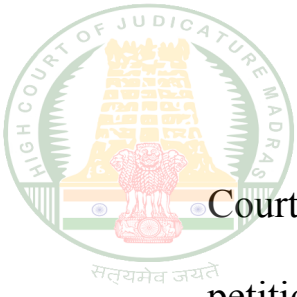
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The husband has filed the transfer petition seeking a transfer of IDOP.No.28 of 2023, pending on the file of the Family Court, Uthagamandalam, to the file of the Sub Court, Mettupalayam.

2. He would submit that it is difficult for him to travel to Uthagamandalam as he is residing at Thottiyam, with his aged parents and every time he has to travel nearly 250 KMs to reach Uthagamandalam from Thottiyam. Therefore, he would seek to have the IDOP transferred to the file of the Sub Court, Mettupalayam.

3. Heard the learned counsels and perused the records.

4. A perusal of the affidavit filed in support of the transfer petition would show that the respondent is already appearing before the Additional Mahila Court, Uthagamandalam, in DVC.No.7 of 2023. However, taking note of the fact that he has to travel twice over while dismissing the Transfer petition a direction is issued to the Family



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Court, Uthagamandalam, not to insist upon the presence of the petitioner herein for every hearing and that he will be present at the time of taking evidence. The parties shall not take unnecessary adjournments. It is made clear that the respondent / wife shall complete the evidence without taking unnecessary adjournments.

5. The Transfer petition is dismissed with the above directions. Consequently, the connected miscellaneous petition is closed. No costs.

04.02.2025

Index : Yes/No
Internet : Yes/No

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1.The Family Court,
Uthagamandalam,

2.The Sub Court,
Mettupalayam.

P.T. ASHA, J.



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