



Tr.CMP.No.567 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2025

CORAM :

THE HONOURABLE MR. JUSTICE P.B. BALAJI

Tr.CMP.No.567 of 2025

and

CMP.No.13946 of 2025

1. K.Manonmani
2. Minor Sriram

...Petitioners

Vs.

1. Senthilkumar
2. Samiyathal
3. Deivanai
4. S.Lakshmi
5. R.Sellamuthu
6. K.Selvi
7. S.Kanagaraj
8. Dhandapani
9. Seerathal
10. S.K.Rajendran

...Respondents

Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw the DVC complaint in MC.No.2 of 2015 on the file of the learned Judicial Magistrate, Dharapuram and to transfer the same to any one of the learned Magistrate Courts at Coimbatore or Family Court, Tiruppur.



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For Petitioners : M/s.M.Adhishree

For Respondents : Mr.Ma.P.Thangavel

ORDER

The 1st petitioner/wife along with her minor child/the 2nd petitioner initiated proceedings DVC.MC.No.2 of 2015, before the learned Judicial Magistrate, Dharapuram. The petitioners now seek transfer of the said DVC proceedings to the file of any of the learned Magistrate Courts at Coimbatore or the Family Court, Tiruppur, considering that the petitioners have shifted their residence in the year 2020 and are not in a position to attend the hearings before the learned Judicial Magistrate, Dharapuram, where the presence of the 1st petitioner/wife is absolutely necessary for all hearing dates.

2. Mr.Ma.P.Thangavel, the learned counsel for the respondents submits that, the evidence has already been closed and the said DVC proceedings has been posted for arguments and the same is pending from April 2025 onwards, only for arguments. Further, there are about ten respondents and it would be practically inconvenient to all the respondents if the proceedings are transferred either to the file of the



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WEB COM Magistrate Courts at Coimbatore or to the file of the Family Court, Tiruppur at the fag end of the proceedings.

3. Considering the arguments advanced by the learned counsel on either side, I am not inclined to accede to the request of transfer at the final stage of the proceedings, that too initiated by the 1st petitioner/wife along with her minor son, now sought to be transferred by herself.

4. However, considering that the 1st petitioner/wife expresses inconvenience to travel all the way to Dharapuram to attend the proceedings, in view of her subsequently shifting residence to Coimbatore, more so, considering that the 1st petitioner has to take care of her minor son/the 2nd petitioner, I am inclined to dispose of this Transfer petition with the following directions:-

(i) The learned Judicial Magistrate, Dharapuram is directed to expeditiously dispose of the DVC.MC.No.2 of 2015, after hearing the arguments of the parties, giving them fair and reasonable opportunity to put forth their respective contentions.



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WEB COPY (ii) The DVC proceedings shall be disposed of within a period of two months from the date of receipt of a copy of this order.

(iii) The presence of the 1st petitioner shall not be insisted upon and the learned counsel who represents the petitioners shall be permitted to advance arguments on behalf of the petitioners.

5. With the above directions, this Transfer Civil Miscellaneous petition stands disposed of. There shall be no order as to costs. Consequently, the connected Civil Miscellaneous Petition is closed.

24.07.2025

skt

Index	: Yes / No
Speaking order	: Yes / No
NCC	: Yes / No

To

1. The Judicial Magistrate,
Dharapuram.

2. The Family Court,
Tiruppur.



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P.B.BALAJI, J.
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