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TR CMP. No.470 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-06-2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

TR CMP NO. 470 of 2025

AND

CMP NO.11076 of 2025

Annamalai Arvind Narayanan

Petitioner(s)

Vs

Meenu Kalaiarasan

Respondent(s)

PRAYER: This Transfer Civil Miscellaneous Petition is filed under Section 24 of CPC to withdraw the H.M.O.P. No.4224 of 2022 (renumbered as H.M.O.P. No.201 of 2023) along with M.C. No.59 of 2024 on the file of the Court of the Family Judge, Salem and Transfer the same to the file of the Family Court, Chennai.

For Petitioner : Ms.D.Divya

For Respondent : Mr.G.Murugendran

ORDER

The petitioner/husband has sought for transfer of HMOP. No.201 of 2023 pending on the file of the Hon'ble Family Judge, Salem along with MC. No.59 of 2024 to be transferred to the file of the Hon'ble Family Court at Chennai.



2. I have heard Ms.Divya, learned counsel for the petitioner and Mr.G.Murugendran, learned counsel for the respondent.

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3. The learned counsel for the petitioner would submit that the H.M.O.P originally filed before the Family Court, Chennai in HMOP. No.4224 of 2022 was transferred at the instance of the respondent/wife and renumbered as H.M.O.P. No.201 of 2023 vide order dated 20.10.2022 in Tr.CMP. No.1097 of 2022. Thereafter, the parties have been appearing before the Family Court at Salem.

4. The grievance of the petitioner/husband is that the learned counsel for the respondent i.e., his wife has been intimidating and threatening the petitioner by making unreasonable, fanciful and arbitrary demands for lumpsum amounts for settlement of the disputes. According to the petitioner, the petitioner apprehends bias and hence he has no confidence to conduct the proceedings before the Family Court, Salem. The petitioner further apprehends that he would not get fair hearing before the Family Court, Salem.

5. The learned counsel for the respondent, on the other hand denied the claims of the petitioner and contends that the trial has already commenced and there is no threat or intimidation issued to the petitioner



and the matter was already transferred at the instance of the respondent/wife, that too pursuant to the orders of this Court and the petitioner cannot seek re-transfer of the very same case.

6. I have paid my anxious and careful consideration to the arguments advanced by the learned counsel on either side and I have also gone through the papers.

7. Except for the allegations that the respondent's counsel has claimed a huge amount i.e., Rs.3,50,00,000/- and that amounts to extortion and I do not find any real threat to the petitioner or his safety. The petitioner has been admittedly appearing before the Family Court, Salem right from the year 2022. The HMOP filed by the petitioner has been transferred after Transfer Application came to be filed by the wife which was allowed on 15.12.2022 in Tr.CMP. No.1097 of 2022. The case is also in a part heard stage.

8. Considering the fact that the trial has already commenced, it would not be proper to disturb the proceedings at this stage. In any event, I do not find any satisfactory reasons to accept the allegations of the petitioner that he would not get justice before the Family Court, Salem, especially since the allegations are only against the counsel for the



respondent.

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02.06.2025

rkp

Index : Yes / No

Internet : Yes / No

To:

1.The Family Judge, Salem

2.The Family Court, Chennai.

P.B.BALAJI, J.,

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