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Tr.CMP.Nos.484 & 485 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2025

CORAM :

THE HONOURABLE MR. JUSTICE P.B. BALAJI

Tr.CMP.Nos.484 & 485 of 2025
and
CMP.Nos.11471 & 11473 of 2025

Ashok Kumar

...Petitioner in both CRPs.

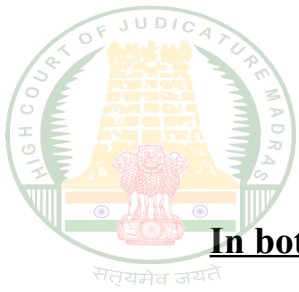
Vs.

Shakthi Priya

...Respondent in both CRPs.

Prayer in Tr.CMP.No.484 of 2025: Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw the M.C.No.475 of 2024 on the file of the learned V Additional Family Court in Chennai and to transfer it to the learned Family Court, Villupuram.

Prayer in Tr.CMP.No.485 of 2025 : Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw the GWOP.No.4294 of 2024 on the file of the learned IV Additional Family Court in Chennai and to transfer it to the learned Family Court, Villupuram.



Tr.CMP.Nos.484 & 485 of 2025

In both petitions:

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For Petitioner : M/s.A.Kirran

For Respondent : Mr.M.Krishen
for Mr.M.Krishnan

COMMON ORDER

I have heard the learned counsel on either side and I have also gone through the affidavits filed in support of these transfer petitions.

2. It is seen that only at the request of the respondent/wife, this Court, by order dated 28.11.2024 made in Tr.CMP.No.1019 of 2024 ordered for transfer of HMOP.No.199 of 2024 from the file of the Family Court, Dindigul to the file of the Family Court, Villupuram, even though the request of the respondent/wife was for transfer to the file of the Family Court, Chennai.

3. It is further seen that, earlier the respondent/wife filed M.C.No.309 of 2019 before the V Additional Family Court, Chennai, however, the same has been subsequently withdrawn and now a fresh maintenance case has been filed by the respondent/wife in M.C.No.475 of 2024 before the V Additional Family Court, Chennai.



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WEB COPY 4. Therefore, the petitioner/husband has now come up with these transfer petitions seeking transfer of both the maintenance case in M.C.No.475 of 2024 pending on the file of the V Additional Family Court, Chennai and GWOP.No.4294 of 2024 pending on the file of the IV Additional Family Court in Chennai to the file of the Family Court, Villupuram.

5. At this juncture, the learned counsel for the respondent/wife submits that GWOP.No.4294 of 2024 filed before the IV Additional Family Court in Chennai was already withdrawn.

6. In the light of the above and also considering that only at the request of the respondent/wife, HMOP.No.199 of 2024 was transferred from the file of the Family Court, Dindigul to the file of the Family Court, Villupuram, it is in the interest of the parties that all the proceedings are tried by one and the same Court, in order to avoid multiplicity of proceedings and conflicting orders.



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WEB COPY 7. Further, in view of the fact that the respondent/wife is anyway attending the proceedings in the Family Court, Villupuram, no serious prejudice would be caused to the respondent/wife if the maintenance case in M.C.No.475 of 2024 is also transferred to the file of the Family Court, Villupuram and tried together along with HMOP.No.199 of 2024.

8. The only apprehension of the learned counsel for the respondent /wife is that the matter has been kept pending for over a year and there has been no substantial progress.

9. I am satisfied that the petitioner/husband has made a good ground for transfer of maintenance case as sought for and accordingly, the case in M.C.No.475 of 2024 is hereby withdrawn from the file of the V Additional Family Court, Chennai and the same is transferred to the file of the Family Court, Villupuram, to be tried along with HMOP.No.199 of 2024 and the Family Court, Villupuram is directed to expedite the hearing in both the matters and shall dispose of the same within a period of four (4) months from the date of receipt of a copy of this order, after hearing the parties.



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WEB COPY 10. Further, it is made clear that the transferee Court shall not insist upon the physical presence of the petitioner/husband during all hearing dates, except where it would be absolutely necessary.

11. With the above observations and directions, the Transfer Civil Miscellaneous petition in Tr.CMP.No.484 of 2025 is allowed and Tr.CMP.No.485 of 2025 stands dismissed. There shall be no order as to costs. Consequently, the connected Civil Miscellaneous Petitions are closed.

30.07.2025

skt

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

To

- 1.The V Additional Family Court,
Chennai.
- 2.The IV Additional Family Court,
Chennai.
- 3.The Family Court,
Villupuram.



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P.B.BALAJI, J.

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