



Tr CMP.No.809 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2025

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THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr CMP.No.809 of 2024 &
CMP.No.17986 of 2024

Theresa : Petitioner

versus

G.P.Samuel : Respondent

Prayer: Petition filed under Section 24 of the Code of Civil Procedure to withdraw the IDOP.No.408 of 2022 pending on the file of the Principal District Court at Thiruvallur and to transfer the same to the Family Court at Chennai.

For Petitioner : Mr.G.Murali

For Respondent : Ms.Gajalakshmi

ORDER

This transfer petition is at the instance of the wife. She seeks



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withdrawal of IDOP.No.408 of 2022 from the file of the Principal District Court, Thiruvallur and transfer the same to the file of the Family Court at Chennai.

2. I heard both sides. I have gone through the affidavit.

3. The petitioner married the respondent on 18.01.2012. From the wedlock, they were blessed with a child. Due to disputes and differences, the parties have separated. The respondent/husband initiated proceedings in IDOP.No.408 of 2022 for divorce before the learned Principal District Court at Thiruvallur. Pleading that she is residing in Chennai and being a woman, she is unable to travel alone from Chennai to Thiruvallur, the wife has moved this transfer petition.

4. This Court and the Supreme Court have consistently held in matters of transfer, the convenience of the wife should be given a superior consideration than that of the husband. Since it will be difficult for the wife to travel to attend the Court for every hearing, I am inclined to accept the



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5. Accordingly, IDOP.No.408 of 2022 is withdrawn from the file of the Principal District Court at Thiruvallur and transferred to the file of the Family Court at Chennai.

6. The Family Court need not insist upon the appearance of the husband on all hearing dates. For non-essential and procedural hearings, the husband will be represented by a counsel. He shall however present himself before the Court when the Trial Court passes a specific order for his appearance or when his presence is indispensable.

7. The Transfer Civil Miscellaneous Petition is ordered on the above terms. No costs. Consequently, connected miscellaneous petition is closed.

24.01.2025

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Index : Yes/No
Speaking Order/Non speaking order
Neutral Citation : Yes/No



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V.LAKSHMINARAYANAN, J.
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To

1.The Principal District Judge, Principal District Court, Thiruvallur

2.The Family Judge, Family Court, Chennai

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