



Tr.CMP.No.561of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

Tr.CMP.No.561of 2025
and C.M.P.No.13780 of 2025

Mr.Akilan@Aravind
S/o.Mr.Asokan

... Petitioner

Vs.

Mrs.Sriprabha
W/o.Akilan @ Aravind

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of CPC, to withdraw and transfer the H.M.O.P.No.2157 of 2022 filed before the Hon'ble Family Judge at Coimbatore to the Family Court, Chennai.

For Petitioner : Mr.S.John Josh

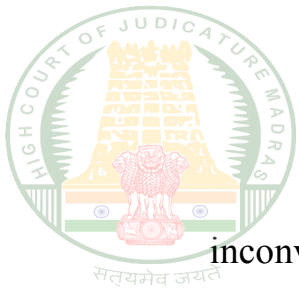
For Respondent : Mr.M.Liagatali

ORDER

This transfer civil miscellaneous petition has been filed seeking for transfer of H.M.O.P.No.2157/2022 from the file of Hon'ble Family Judge, Coimbatore to the file of the Hon'ble Family Court, Chennai.

2.I have heard Mr.S.John Josh, learned counsel for the petitioner and Mr.M.Liagatali, learned counsel for the respondent.

3. The learned counsel for the petitioner/husband express his



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inconvenience to travel all the way from Chennai, where he resides and also works for gain, to Coimbatore, to attend the hearings. The learned counsel for the petitioner also states that cause of action for the proceedings also arose only within the jurisdiction of the Family Court, Chennai and only in order to harass the petitioner, the respondent has filed the HMOP before the Family Court, Coimbatore.

4. *Per contra*, the learned counsel for the respondent/wife stated that the respondent is well within her rights to approach the Family Court, Coimbatore.

5. I have carefully considered the submissions on either side.

6. The respondent being a resident of Coimbatore has rightly filed the petition seeking dissolution of the marriage before the Family Court, Coimbatore as it is now permissible for the wife to file an application at the place of her residence, even though the cause of action does not arise at the said place.

7. The only grievance of the petitioner/husband is that he has to



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travel 500 kilometers to attend the hearing in the Family Court, Coimbatore. Hence, in order to balance equities, the Family Court, Coimbatore, shall not insist on the physical presence of the petitioner/husband for all hearing dates, except where his presence would be absolutely necessary. Considering that the H.M.O.P is of the year 2022, the Family Court, Coimbatore is directed to dispose the same on or before 30.01.2026.

8. Accordingly, this Transfer Civil Miscellaneous Petition is dismissed. There shall be no order as to costs. Connected Civil Miscellaneous Petition is closed.

06.08.2025

Speaking/Non-speaking : Yes/No
Index : Yes / No
mp

To

- 1.The Family Court, Coimbatore.
- 2.The Family Court, Chennai.

P.B. BALAJI,J.



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