



Tr.C.M.P No.609 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :30.07.2025

CORAM:

THE HON'BLE MR. JUSTICE P.B. BALAJI

Tr.C.M.P.No.609 of 2025 and CMP No.14819 of 2025

I.Valarmathi

... Petitioner

vs

K.Veera Muthu Pandi

.. Respondent

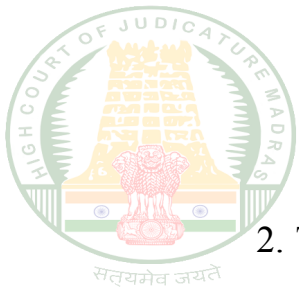
Petition filed under Section 24 of Civil Procedure Code to withdraw O.P.No.58 of 2025 on the file of Family Court at Theni and to transfer the same to Family Court, Chennai

For Petitioner : Mr.K.Mohan

For Respondent : Mr.S.Sivakumar

ORDER

The petitioner/wife seeks transfer of the proceedings in O.P.No.58 of 2025 pending on the file of Family Court at Theni to the Family Court, Chennai.



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2. The petitioner/wife states that she is dependant on a single parent and will not be in a position to travel 530 kms to attend the proceedings at Theni and therefore, she has sought for transfer.

3. However, learned counsel for the respondent/husband states that the respondent is currently not having any job and it is equally difficult to the respondent to travel to attend the proceedings at Chennai. He would also point out the allegations made in paragraph No.4 of the affidavit filed in support of the transfer petition being the cause for separation and also the filing of the transfer petition.

4. I have carefully considered the submissions made by the learned counsel on either side.

5. Admittedly, as held by this Court as well as Hon'ble Supreme Court, the paramount consideration in matters of transfer of matrimonial proceedings will have to be the convenience of the wife. Admittedly, the proceedings are pending before Family Court, Theni and the petitioner/wife, being a resident of Thiruvallur, would not be in a position to attend the proceedings at Theni unless she stays back in Theni an overnight.



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6. In view of the above, the grievance of the petitioner/wife is acceptable, at the same time, the respondent/husband also will have to travel long way from Theni to attend the proceedings at Family Court, Chennai.

7. Accordingly, Tr.C.M.P. is allowed and the proceedings in O.P.No.58 of 2025, pending on the file of Family Court, Theni is withdrawn and transferred to Principal Family Court, Chennai and the Principal Family Court, Chennai at its discretion shall take up OP No.58 of 2025 or assign it to any additional Court, subject to the pendency of cases before Family Court, Chennai/work load, etc.

8. The transferee Court shall not insist on the physical presence of the respondent/husband for all hearing dates and he may be permitted to appear through video conferencing and if the respondent/husband's presence is absolutely necessary for his cross examination, then alone, his presence may be insisted upon, if video conferencing facility is not going to serve the purpose. For all other hearings, the respondent/husband shall be represented by a counsel.



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P.B.BALAJI.,J.

Sr

9. The Family Court, Theni is directed to send the entire records relating to OP No.58 of 2025 to Principal Family Court, Chennai forthwith.

No costs. Consequently, connected miscellaneous petition is closed.

30.07.2025

Index: Yes/No

Website:yes/no

Speaking Order/Non-speaking Order

sr

To

1. The Family Court, Theni
2. The Principal Family Court, Chennai

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