



Tr.C.M.P.No.636 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :18.08.2025

CORAM:

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

Tr.C.M.P.No.636 of 2025 and CMP No.15207 of 2025

Naseeba

... Petitioner

VS

Mujeeb Baig

.. Respondent

Petition filed under Section 24 of Civil Procedure Code to withdraw O.S.No.15 of 2025 on the file of Family Court, Puducherry and transfer the same to Sub Court, Kallakurichi.

For Petitioner : Mr.S.Ganeshkumar

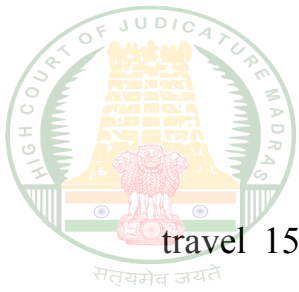
For Respondent : Mr.V.Moorthi

ORDER

The petitioner/wife seeks transfer of O.S.No.15 of 2025, filed by respondent/husband before the Family Court, Puducherry to the file of Sub Court, Kallakurichi.

2.Heard the learned counsel for the parties.

3. Learned counsel for the petitioner states that apart from referring to



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travel 150 kms one way, the petitioner has to take care 6 months child and expresses inconvenience to attend the proceedings at Family Court, Puducherry and therefore, seeks transfer request.

4. Learned counsel for the respondent/husband states that the petitioner/wife has given false complaints against the respondent/husband and hence the respondent/husband apprehends that there may be threat for safety and security of his life if he is directed to attend the proceedings before Sub Court, Kallakurichi and therefore, the learned counsel opposed the petition.

5. I find that the averments regarding police complaint finds place even in the plaint. These are disputed questions of facts and cannot be gone into while deciding the transfer petition. I am satisfied that the petitioner has made out a good case for seeking transfer.

6. Considering the facts and circumstances of the case, Tr.C.M.P.No.636 of 2025 is allowed in the following manner:-

- (i) O.S.No.15 of 2025 pending on the file of Family Court, Puducherry is withdrawn and the same is transferred to the file of Sub Court, Kallakurichi.



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(ii) The Family Court, Puducherry is directed to send the entire records relating to O.S.No.15 of 2025 to the file of Sub Court, Kallakurichi.

(iii) The Sub Court, Kallakurichi shall not insist upon the physical presence of the respondent/husband on all hearing dates, where it is absolutely necessary for e.g., chief or cross examination). At all the other hearings, the respondent/husband shall be permitted to be represented through counsel.

No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No
Website:yes/no
Speaking Order/Non-speaking Order
sr

To

1. The Family Court, Puducherry
2. The Sub Court, Kallakurichi

P.B.BALAJI.,J.



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