



Tr CMP.No.806 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2025

CORAM

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr CMP.No.806 of 2024 &
CMP.No.17840 & 17841 of 2024

Safeeka Safreen : Petitioner

versus

S.Ifthikar Ahmed : Respondent

Prayer: Petition filed under Section 24 of the Code of Civil Procedure to withdraw O.S.No.21 of 2024 on the file of the Family Court at Trichy and transfer the same to the file of the Family Court at Karaikal.

For Petitioner : Mr.K.Sathish

For Respondent : Mr.P.M.Vishnuvarthanan

ORDER

This transfer petition is at the instance of the wife. She seeks withdrawal of O.S.No.21 of 2024 from the file of the Family Court, Tiruchirapalli and transfer the same to the file of the Family Court at



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Karaikal.

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

3. The petitioner married the respondent on 28.09.2014. From the wedlock, they were blessed with two children. Due to disputes and differences, the parties have separated. The petitioner/wife initiated proceedings in DVC.No.19 of 2023 before the Judicial Magistrate Court-I at Karaikal. The respondent/husband initiated proceedings in O.S.No.21 of 2024 for divorce before the learned Family Judge at Tiruchirapalli. Pleading that she is residing in Karaikal and unable to travel from Karaikal to Tiruchirapalli, 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. As the distance between Karaikal and Tiruchirapalli is considerable and since it will be difficult for the wife to leave the children behind and travel to attend the Court, I am inclined to



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5. Accordingly, O.S.No.21 of 2024 is withdrawn from the file of the Family Court at Tiruchirapalli and transferred to the file of the Family Court at Karaikal.

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 petitions are closed.

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Index : Yes/No

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



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V.LAKSHMINARAYANAN, J.
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To

1.The Family Judge, Family Court, Tiruchirapalli

2.The Family Judge, Family Court, Karaikal

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