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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2025

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THE HONOURABLE MR JUSTICE P.B. BALAJI

Tr.CMP.No.803 of 2025 and
CMP.No.18371 of 2025

Ramachandran

... Petitioner

Vs.

Priya

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw and transfer HMOP.No.130 of 2024 on the file of the Sub Court, Thiruvottiur and transfer the same to the file of any other Court in Chennai preferably, which is more accessible to him.

For Petitioner : Mr.Ramesh Ganapathy

ORDER

Heard the learned counsel for the petitioner.

2. The petitioner husband seeks transfer of HMOP.No.130 of 2024 on the file of the Sub-Court, Thiruvottiur filed by the respondent wife.



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3. The learned counsel for the petitioner states that the petitioner has to travel from Trichirapalli to attend the hearings before the Sub-Court, Thiruvotiyur and considering the distance is being put to hardship.

4. The learned counsel for the petitioner further states that the respondent has not even permitted the petitioner to visit his child and applications are also taken out and the same are also not been disposed of. He further states that there is an issue whenever the petitioner appears before the Court for hearing accompanied with his counsel and hence the petitioner seeks transfer of HMOP.No.130 of 2024 to any other Court other than where it has been instituted namely Sub-Court, Thiruvottiur.

5. On going through the affidavit filed in support of the transfer petition, I do not find any merits in the request for transfer. The petitioner's apprehension is that there would be obstruction of justice and also risk of his personal safety. The same are not substantiated, except for the allegations made in the affidavit filed in support of the transfer petition. The transfer of the proceedings to Sub-Court, Alandur or Sub-Court, Tambaram is not



warranted in the facts and circumstances that have been set out in the affidavit filed in support of the transfer petition.

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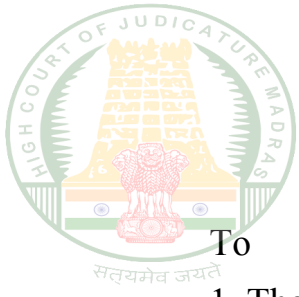
6. Considering that the petitioner is a resident of Trichy while dismissing the transfer petition, I direct the Sub-Court, Thiruvottiyur not to insist on the physical presence of the petitioner for all hearings dates except where it would be absolutely necessary and all other dates the petitioner shall be permitted to be represented by a counsel of his choice engaged for the specific purpose of conducting HMOP.No.130 of 2024. The Sub-Court shall also expedite the hearings in the visitation rights application taken out by the petitioner and pass final orders within a period of four weeks from the date of receipt of a copy of this order.

7. In the light of the above, this Transfer Civil Miscellaneous Petition is disposed of. There shall be no order as to costs. Connected Civil Miscellaneous Petition is closed.

01.08.2025

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

1. The Sub Court, Thiruvottiur.

2. The Section Officer,
V.R.Section,
High Court, Madras.

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P.B. BALAJI,J.

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