



Tr.C.M.P.No.894 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P.No.894 of 2024
and C.M.P.No.19593 of 2024

Baalaji Muthukrishnan

.. Petitioner

Vs.

1.B.Sharaswathi Jayaraman

2.B.Kanishka

.. Respondents

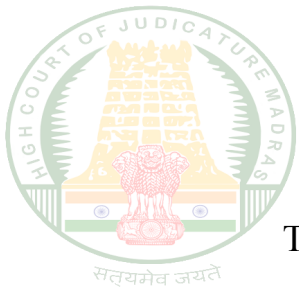
(2nd respondent represented by
her mother-natural guardian,
1st respondent herein)

Prayer: This Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, praying to withdraw M.C.No.356 of 2024 on the file of I Additional Family Court, Chennai and transfer the same to the Judicial Magistrate Court, Katpadi.

For Petitioner : Mr.D.Prabhu Mukunth Arun Kumar

For Respondent : Mr.R.Ganesh Kumar

ORDER



Tr.C.M.P.No.894 of 2024

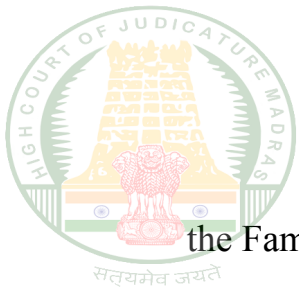
WEB COPY

This transfer petition is at the instance of the husband. He seeks withdrawal of M.C.No.356 of 2024 pending on the file of I Additional Family Court, Chennai and transfer the same to the Judicial Magistrate Court, Katpadi.

2.The petitioner is the husband. The 1st respondent is the wife and the 2nd respondent is the daughter.

3.When the matter was listed for hearing before me on 05.09.2024, an assertion was made by the petitioner in his affidavit that the 1st respondent is working in IDFC First Bank in Vellore. When the matter was taken up for disposal today, the learned counsel appearing for the respondents produced a letter dated 23.02.2023 stating that the 1st respondent has been relieved from her service with the IDFC First Bank. The learned counsel for the respondents further asserts that the respondents are residing at Jawahar Nagar in Chennai – 600 082, which is the 1st respondent's maternal uncle's home.

4.In matters of maintenance, it is the convenience of the wife which matters. As the wife has asserted that she is residing within the jurisdiction of



Tr.C.M.P.No.894 of 2024

the Family Court at Chennai, and she has given proof that she is not employed by the IDFC First Bank, I am not in a position to accept the submission of Mr.D.Prabhu Mukunth Arun Kumar.

5.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.

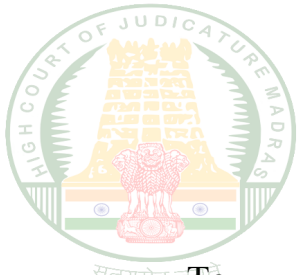
6.With the above observations, this Transfer Civil Miscellaneous Petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

24.01.2025

krk
Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

V.LAKSHMINARAYANAN, J.

krk



Tr.C.M.P.No.894 of 2024

To
WEB COPY

The I Additional Judge,
I Additional Family Court,
Chennai.

Tr.C.M.P.No.894 of 2024

24.01.2025