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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

TR CMP No. 1096 of 2024

S. Suji

Petitioner(s)

Vs

M. Vinoth

Respondent(s)

PRAYER

This transfer civil miscellaneous petition is filed under Section 151 of Civil Procedure Code seeking to withdraw and Transfer the HMOP No.304 of 2024 pending on the file of Sub Court, Ambattur to the file of Family Court, Nagercoil for disposal.

For Petitioner(s): Mr.M.Santhanaraman

For Respondent(s): M/s. R.Govindaraj

ORDER

The petitioner is the wife who is arrayed as respondent in HMOP.No.304 of 2024 pending on the file of Sub Court Ambattur. The learned counsel for the petitioner says that the HMOP has been filed by the respondent-husband. The



petitioner has sought for transfer of the said proceedings on the file of Family Court, Nagercoil citing reasons of inconvenience as well as necessity to take care of her three (3) years old girl child.

2. I find, *prima facie* case has been made out by the petitioner for transfer of HMOP.No.304 of 2024 from the file of Sub Court, Ambattur to the file of Family Court, Nagercoil.

3. Mr.R.Govindaraj, learned counsel for the respondent states that the respondent is employed abroad and it would not be possible for him to attend the hearings before the Family Court, Nagercoil, which is mandatory. In order to balance equities and also safeguard the interests of the respondent-husband, I am ordering the transfer as prayed for, with directions.

4. The Family Court, Nagercoil shall not insist on the physical presence of the respondent-husband on all hearing dates, except where it is absolutely necessary. On all other hearings, the Family Court, Nagercoil, shall permit either the counsel engaged by the respondent or any duly authorised representative to appear and represent the respondent. Accordingly, the transfer



civil miscellaneous petition is allowed. No costs. Consequently, connected

miscellaneous petition is closed.

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RAP

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Sub Court, Ambattur
2. The Family Court, Nagercoil



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P.B.BALAJI J.

RAP

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