



Tr.C.M.P.No.1102 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.1102 of 2024
and C.M.P.No.24258 of 2024

D.Vinod Daniel

.. Petitioner

Vs

V.Jeeva

.. Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the C.P.C., to withdraw the I.D.O.P.No.58 of 2024 on the file of the Principal District Judge, Vellore District and to transfer the same to before the Family Court at Vellore, Vellore District.

For Petitioner : Mr.G.Vinodh Kumar

For Respondent : Mr.Y.Kajanavas

ORDER

This transfer petition is at the instance of the husband. He seeks withdrawal of I.D.O.P.No.58 of 2024 from the file of the learned Principal District Judge, Vellore, and transfer the same to the learned Judge, Family Court, Vellore.



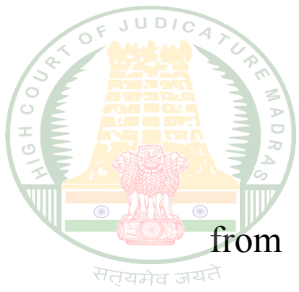
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2. I heard both sides. I have gone through the affidavit.

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3. The petitioner married the respondent on 13.07.2015. From the wedlock, they were blessed with two male children. Due to disputes and differences, the parties have separated. The respondent/wife initiated proceedings in I.D.O.P.No.58 of 2024 for divorce before the learned Principal District Judge, Vellore. Earlier the petitioner/husband filed a petition for restitution of conjugal rights before the Family Court, Chengalpattu and the same was ordered ex-parte, since the respondent/wife did not attend the Court. Thereafter the petitioner/husband initiated proceeding in G.W.O.P.No.221 of 2022 before the Family Court, Vellore, to see his children. The respondent/wife has also filed maintenance petition in F.C.M.C.No.19 of 2023, before the Family Court, Vellore. Pleading that both the cases are connected, he has moved this transfer petition.

4. Since, the petitioner/husband seeks transfer from one Court to another Court in the same District and since the wife has already filed F.C.M.C.No.19 of 2023 before the Family Court, Vellore, I am inclined to accept the transfer. Accordingly, I.D.O.P.No.58 of 2024 is withdrawn



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from the file of the learned Principal District Judge, Vellore and transferred to the file of the Judge, Family Court, Vellore for joint trial along with G.W.O.P.No.221 of 2022 and F.C.M.C.No.19 of 2023.

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. The Transfer Civil Miscellaneous Petition is ordered on the above terms. No costs. Consequently, connected miscellaneous petition is closed.

24.01.2025

Index :Yes/No
Speaking order/Non-speaking order
Neutral Citation :Yes/No
rts

To
1.The Principal District Judge, Vellore District
2.The Judge, Family Court, Vellore District.



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V. LAKSHMINARAYANAN, J.

rts

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