



Tr.C.M.P.No.1234 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.1234 of 2024
and C.M.P.No.26811 of 2024

M.Umamaheswari

.. Petitioner

Vs.

1.V.M.Suresh

2.Sulochana

.. Respondents

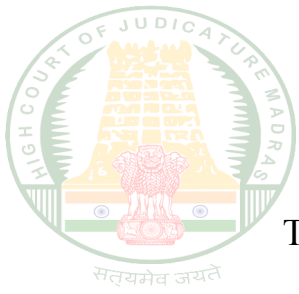
Prayer: This Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, praying to withdraw the case of D.V.C.No.66 of 2023 pending on the file of the XVII Metropolitan Magistrate at Saidapet, Chennai and transfer the same to the Judicial Magistrate Court at Vellore.

(Prayer amended as per order of this Court dated 24.01.2025 in C.M.P.No.787 of 2025 in Tr.C.M.P.No.1234 of 2024)

For Petitioner : Mr.M.Rakhi

For Respondents : Mr.J.Ramkumar

ORDER



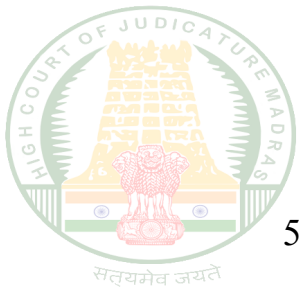
Tr.C.M.P.No.1234 of 2024

This case is at the instance of the wife. She seeks withdrawal of D.V.C.No.66 of 2023 from the file of the XVII Metropolitan Magistrate at Saidapet, Chennai, and transfer the same to the file of the Judicial Magistrate Court, Vellore.

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

3.The petitioner married the 1st respondent on 26.02.2016. Due to disputes and differences, the husband and wife separated. The petitioner / wife initiated proceedings in D.V.C.No.66 of 2023 before the XVII Metropolitan Magistrate at Saidapet, Chennai. Pleading that the wife is residing in Kosapet, Vellore and unable to travel from Vellore to Chennai, she has moved this transfer petition.

4.Taking into consideration the convenience of the petitioner / wife, D.V.C.No.66 of 2023 pending before the XVII Metropolitan Magistrate at Saidapet, Chennai, is withdrawn and transferred to the file of the Judicial Magistrate Court, Vellore.



Tr.C.M.P.No.1234 of 2024

5.At this stage, the learned counsel for the respondents points out that

the 2nd respondent / mother-in-law of the petitioner is a senior citizen and she will not be in a position to travel from Chennai to Vellore for each hearing.

6.Taking into consideration the age and relationship of the 2nd respondent with the petitioner, the appearance of the 2nd respondent in the domestic violence case is dispensed with. However, she shall present herself before the Judicial Magistrate Court, Vellore, when the Court passes a specific order for her appearance or when her appearance is indispensable.

7.With the above observations, the Transfer Petition is ordered. Consequently, connected miscellaneous petition is closed. No costs.

24.01.2025
(3/3)

krk

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



WEB COPY



Tr.C.M.P.No.1234 of 2024

V.LAKSHMINARAYANAN, J.

krk

To

- 1.The XVII Metropolitan Magistrate,
Saidapet, Chennai.
- 2.The Judicial Magistrate,
Judicial Magistrate Court, Vellore.

Tr.C.M.P.No.1234 of 2024

24.01.2025
(3/3)