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TR.CMP.No.1266 of 2



TR.CMP.No.1266 of 2024

P.B.BALAJI, J.

Today, this matter is listed under the caption “For Being Mentioned” at the instance of the learned counsel for the respondent.

2. On going through the order of this Court dated 07.07.2025, this Court is of the view that, there being no ambiguity in the order passed by this Court, no further clarification is required.

22.07.2025

skt

IN THE HIGH COURT OF JUDICATURE AT MADRAS



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TR.CMP.No.1266 of 2



DATED: 07.07.2025

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THE HONOURABLE MR JUSTICE P.B. BALAJI

Tr.C.M.P.No.1266 of 2024

and CMP. No.27479 of 2024

Mujub Ur Rahman

... Petitioner

VS.

Yasmin @ Lakshmi

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure, to withdraw the G.W.O.P. No.82 of 2024 pending on the file of the Principal District Court, Tenkasi and transfer the same to the Principal District Court, Kallakurichi.

For Petitioner : Mr.B.Abdul Samath

For Respondent : Mr.C.Prabakaran.

ORDER

This Transfer Miscellaneous Petition is filed to transfer the G.W.O.P. No.82 of 2024 pending on the file of the Principal District Court, Tenkasi to the Principal District Court, Kallakurichi.

2. After interacting with the children, though the children were initially reluctant to even permit the mother to have a visitation right, after



seeing and talking to the mother, they have agreed to permit the mother to have visitation right between 11.00 a.m to 3.00 p.m every Second Sunday, once in two months as an interim arrangement. The father shall drop the sons at PVR (Maghalakshmi Plaazzaa), Villupuram, the mother shall ensure to reach said place before 11.00 a.m on the said date and she shall have interim custody of the minor sons up to 3.00 pm at which time, the petitioner/husband shall take back the sons.

3. Insofar as the Transfer Civil Miscellaneous Petition is concerned, the Transfer Civil Miscellaneous Petition has filed on the ground that the Court in Tenkasi does not have territorial jurisdiction to decide the GWOP as the children are residing in Kallakurichi. The petitioner/husband has therefore sought for transfer of the proceedings to the file of Principal District Judge, Kallakurich where the Children are resided.

4. After hearing learned counsel for the petitioner and the respondent and considering that the GWOP is pending presently, before the District Court, Tenkasi and the mother herself is only employed at Chennai. In the interest of the parties, I deem it fit to transfer the GWOP No.82 of 2024, before the Principal Family Court, Chennai. The learned Principal Family



Judge, Chennai shall endeavor to dispose of the GWOP on merits and in accordance with law, finally on or before 31.12.2025.

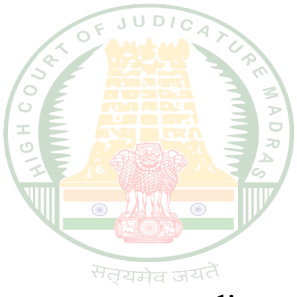
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5. In the event of the learned Principal Family Judge, Chennai deeming it necessary to interact with the children, after ascertaining the convenience of the children and without affecting their schooling and education, the learned Principal Family Judge shall interact with the children only on one occasion and the children shall not be disturbed beyond one sitting.

6. It is also brought to my notice that the petitioner is an Head Constable, who is presently employed in Ulundurpet and in view of the same, the physical presence of the petitioner shall not be required before the learned Principal Family Judge, Chennai for all the hearings and the petitioner counsel is entitled to represent the petitioner/husband and the husband shall before the Trial Court for the Chief and Cross examination, in person.

P.B.BALAJI.J.,

rkp



7. With the above directions, this Transfer Original Petition is disposed of. Connected Miscellaneous Petition is also closed. No costs.

07.07.2025

Speaking/Non-speaking : Yes/No

Index : Yes / No

rkp

To

- 1.The Principal District Judge, Tenkasi.
- 2.The Judge, Principal Family Court, Chennai.

Tr.C.M.P.No.1266 of 2024
and CMP. No.27479 of 2024

07.07.2025