



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2015

CORAM :

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN
TR.CMP (MD) No.307 of 2014 and M.P (MD) No.1 of 2014

A.Sagaya Mary

... Petitioner

Vs.

Arockiasamy

... Respondent

Petition filed under Section 24 of the Civil Procedure Code, to transfer the divorce proceedings filed by the respondent herein in IDOP.No.12 of 2014 on the file of the Court of Principal District Judge, Pudukkottai, to the file of the District Judge, Trichy.

For Petitioner : M/s.J.Maria Roseline

For Respondent : Mr.N.Balakrishnan

O R D E R

The petitioner is the wife and the respondent is the husband. The respondent filed IDOP.No.12 of 2014 on the file of the Principal District Judge, Pudukkottai, for divorce.

2.Now, the petitioner/wife has filed this petition to transfer the petition in IDOP.No.12 of 2014 filed by the respondent/husband before the learned Principal District Judge, Pudukkottai, to the file of the learned District Judge, Trichy, stating that she is employed at Vaiyampatty Panchayat Union School, Vaiyampatty, which is situated about 35 kilometers from Trichirappalli. Besides attending school, she has to look after her child aged one year and hence she seeks for transfer.

3.Heard the learned counsel for the petitioner as well as the respondent.

4.It is well settled law that whenever, the transfer application is filed in matrimonial disputes, the convenience of wife shall be given preference. Furthermore, the learned counsel for the respondent has no objection to allow the petition. Therefore, I am of the view that the petition filed by the wife is liable to be allowed.

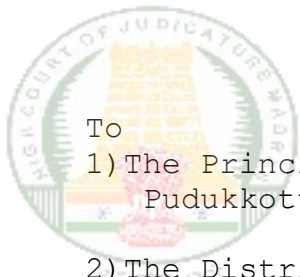
5.Accordingly, the petition is allowed and IDOP.No.12 of 2014 on the file of the Principal District Court, Pudukkottai, is hereby withdrawn and transferred to the file of the District Court, Trichy, if the same is not yet disposed of. The learned Principal District Judge, Pudukkottai, is directed to send the case bundles to the Court of District Judge, Trichy, immediately. The Registry is also directed to send back the papers that are pending before it. No costs. Consequently, M.P (MD) No.1 of 2014 is closed.

Sd/-

Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar



To

1) The Principal District Judge,
Pudukkottai.

2) The District Judge,
Trichy.

WEB COPY

Copy to

The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.J.MARIA ROSELINE, ADVOCATE IN SR : 2614

+1cc to MR.N.BALAKRISHNAN, ADVOCATE IN SR : 2702

Nb2

SR : 26.02.2015 : 2p/6c

ORDER MADE IN
TR.CMP(MD)No.307 of 2014
AND
M.P(MD)No.1 of 2014
DATED : 21.01.2015