



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2015

CORAM

WEB COPY

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Tr.C.M.P(MD)No.135 of 2015

and

M.P(MD)No.1 of 2015

Vijeyarani

... Petitioner

Vs.

V.Chandrakumar

... Respondent

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw and transfer the case H.M.O.P.No.1774 of 2014 on the file of the I Additional Family Court, Chennai to the Family Court, Madurai.

For Petitioner : Mr.N.Sudhagar Nagaraj

For Respondent : Mr.P.Muthuvijaya Pandian

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw and transfer the case H.M.O.P.No.1774 of 2014, on the file of the I Additional Family Court, Chennai to the Family Court, Madurai.

2. The petitioner herein is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized, on 22.02.2013 before the Special Marriage Officer, Royapuram, Chennai. After the marriage, both were living in a matrimonial home at Chennai. The respondent tortured the petitioner and sent out from the matrimonial home. The petitioner is residing at Madurai with her parents. The respondent filed H.M.O.P.No.1774 of 2014, before the I Additional Family Court, Chennai giving the petitioner's address falsely with an ulterior motive that she is staying at Chennai.

3. Now, the petitioner is staying at Madurai along with her parents. According to the petitioner, the distance between Madurai and Chennai, is 500 kms and it is very difficult for the petitioner to travel each and every hearing to attend hearing of H.M.O.P.No.1774 of 2014, before the I Additional Family Court, Chennai. The petitioner is depending on her parents for her day-to-day expenses including travel expenses. She has also stated that it will not be difficult for the respondent/husband to attend the hearing at Madurai.

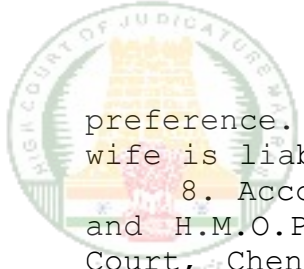
4. In the above circumstances, the petitioner/wife filed this petition to transfer the aforesaid H.M.O.P.No.1774 of 2014, filed by the respondent/Husband before the I Additional Family Court, Chennai, to the Family Court, Madurai.

5. Heard the learned counsel for the petitioner.

6. The respondent entered appearance through the counsel and he did not file any counter.

<https://hcservices.ecourts.gov.in/hcservices/>

7. It is well settled law that whenever, the transfer petition is filed in matrimonial disputes, the convenience of the wife shall be given



preference. Therefore, I am of the view that the petition filed by the wife is liable to be allowed.

8. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.1774 of 2014, on the file of the I Additional Family Court, Chennai, is hereby withdrawn and transferred to the file of the Family Court, Madurai, if the same is not yet disposed of. The learned I Additional Family Judge, Chennai, is directed to send the case bundles to the Family Court, Madurai, immediately. The Registry is also directed to send back the papers that are pending before the Registry. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

The Assistant Registrar(co)

/True copy/

Sub-Assistant Registrar

To

- 1.The Judge, I Additional Family Court,
Chennai.
- 2.The Judge, Family Court,
Madurai.
- 3.The Section officer, V.R.section,
Madurai Bench of Madras High court, Madurai.

+1cc to Mr.N.Sudhagar Nagaraj, Advocate SR.NO.37409

am

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Tr.C.M.P. (MD) No.135 of 2015
08.07.2015