



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2020

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

Tr.C.M.P (MD) No.211 of 2020

and

C.M.P (MD) No.4626 of 2020

S.Pradeepa

... Petitioner/Respondent

-Vs-

R.Jegan

... Respondent/Petitioner

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the I.D.O.P.No.116 of 2020 on the file of Principal District Judge, Tiruchirappalli and transfer the same to any other competent Court at Thanjavur.

For Petitioner : Mr.AN.Ramanathan

For Respondent : No appearance

O R D E R

The petitioner/wife, who is facing the proceedings for divorce at the instance of the respondent/husband in I.D.O.P.No.116 of 2020 on the file of Principal District Judge, Tiruchirappalli seeks transfer of the same to any other competent Court at Thanjavur.

2. Though the respondent has been served and his name also appeared in the cause list, there is no representation on his behalf.

3. Admittedly, the wife resides at Thiruvaiyaru, Thanjavur District and transfer is sought for mainly on the ground of convenience.

4. The Hon'ble Supreme Court in the judgment reported in **2008 (9) SCC 353 (Arti Rani @ Pinki Devi and another Vs. Dharmendra Kumar Gupta)**, has held that "convenience of woman is to be taken into consideration first while considering transfer application."

5. In the light of the aforesaid decision and also being satisfied with the reasons stated in the transfer petition filed by



the wife, this Court is inclined to transfer the I.D.O.P.No.116 of 2020, on the file of the Principal District Court, Tiruchirappalli, to the Principal District Court, Thanjavur.

6. Accordingly, this Transfer Civil Miscellaneous Petition stands allowed. The learned Principal District Judge, Tiruchirappalli, is directed to transmit the papers to the Principal District Judge, Thanjavur, forthwith.

7. The learned Judge, Principal District Court, Thanjavur, is directed to dispose of the proceedings in I.D.O.P.No.116 of 2020 within a period of six months from the date of receipt of the papers from the Principal District Court, Tiruchirappalli, after due notice and opportunity to both parties. However, there will be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

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Sub Assistant Registrar(CS)

vsm

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Principal District Judge ,
Tiruchirappalli.

2.The Principal District Judge,
Thanjavur.

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AP (03/12/2020) 2P 3C