



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P.No.160 of 2021
and C.M.P.No.4741 of 2021

P.Yudith Iysvarya @ Judith Iswaria

.. Petitioner

Vs.

P.K.Pradeep Densil

.. Respondent

Prayer: This Petition filed under Section 24 of the Code of Civil Procedure seeking to withdraw the case in D.O.P.No.96 of 2020 pending on the file of the Principal District Court, Coimbatore and transfer the same to the Principal District Court, Tiruppur.

For Petitioner : Ms.Elizabeth Ravi
for Mr.P.Raja

For Respondent : No appearance

O R D E R

(The case has been heard through video conference)

The petitioner, being the wife of the respondent herein, has come up with the present petition seeking to transfer D.O.P.No.96 of 2020, filed by the respondent for divorce, which is pending on the file of the Principal District Court, Coimbatore to the file of the Principal District Court, Tiruppur.

2. The learned counsel appearing for the petitioner submitted that the petitioner is residing in her parents house at Tiruppur along with her two year child and she finds it very difficult to travel from Tiruppur to Coimbatore for attending the Court on every hearings in D.O.P.No.96 of 2020. Therefore, on the ground of convenience, she seeks to transfer the case from the Principal District Court, Coimbatore to the file of the Principal District Court, Tiruppur.

3. It is seen from the records that notice has been served on the respondent through Court on 29.03.2021 and though his name appears in the cause list, he did not appear either in



person or through any counsel. Hence, this Court proceeds to pass orders on merit.

4. It is well settled that the wife's convenience should be considered while deciding whether the matrimonial dispute should be transferred to the place of the wife. Hence, this Court is inclined to withdraw the D.O.P.No.96 of 2020 from the file of the Principal District Court, Coimbatore to the file of the Principal District Court, Tiruppur. The learned Principal District Judge, Coimbatore is directed to transmit the papers pertaining to D.O.P.No.96 of 2020 to the file of the Principal District Court, Tiruppur, forthwith. The learned Principal District Judge, Tiruppur, is directed to dispose of the case in D.O.P.No.96 of 2020 on merits and in accordance with law as expeditiously as possible.

5. The personal appearance of both parties before the Principal District Court, Tiruppur, is dispensed with, except the dates of hearing, on which, the learned Judge insisted upon the parties to appear before the Court. On other hearing dates, the counsel on behalf of the parties may appear before the Court.

6. In fine, this Transfer Civil Miscellaneous Petition is allowed. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar (CS-IV)

// True Copy//

Sub Assistant Registrar

Kk

To

The Principal District Judge, Coimbatore.

+1cc to Mr.P.Raja, Advocate, S.R.No.39201

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SSI (CO)
CT(02/09/2021)