



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR.CMP.NO.465 OF 2021

AND

CMP.NO.12465 OF 2021

Dr.R.K.Dharani

..Petitioner

Vs.

Dr.M.Atharsh Chander

..Respondent

Prayer:

Transfer civil miscellaneous petition filed under Section 24 of C.P.C., seeking to withdraw HMOP.No.8 of 2021 pending on the file of the Sub-ordinate Court, Srivilliputhur, Virudhunagar District and transfer the same to the Family Court at Chennai.

For Petitioner : Mr.T.Mathi

For Respondent : Mr.M.Rajasekar

O R D E R

The petitioner / wife seeks transfer of HMOP.No.8 of 2021 on the file of the Sub-Court, Srivilliputhur to the Family Court at Chennai. Transfer is sought for solely on the ground of convenience, since the wife is a resident of Korattur near Chennai.

2.It is seen from the records that both the spouses are Doctors. The husband is a practising Doctor at Srivilliputhur and the wife is a resident of Chennai. It is common knowledge that the Court must consider the convenience of the wife but at the same time, the convenience of the husband cannot be ignored. If the proceedings pending before the Sub-Court, Srivilluputhur is transferred to the Family Court, Chennai, it will cause hardship to the husband as he has to travel from Srivilliputhur, which is situate about 600 kilometres away from Chennai for every hearing.



3. In order to minimize the inconvenience caused to the husband and also to the wife, I feel that the proceedings could be transferred to a Sub-Court, where the parties need not appear for every hearing. Since the wife is a resident of Korattur near Chennai, transfer of proceedings to the Sub-Court at Chengalpattu would be more convenient to her as the distance to be covered by her will be about 50 to 55 kilometres. Moreover, the spouses being medical Doctors, they need not appear in person for every hearing, if the proceedings are transferred to the Sub-Court.

4. In view of the above, HMOP.No.8 of 2021 pending on the file of the Sub-court, Srivilliputhur is withdrawn and transferred to the Principal Sub-Court, Chengalpattu. The Principal Sub-Court, Chengalpattu is directed to dispose of the same within a period of one year from the date of receipt of the papers from the Sub-Court, Srivilliputhur.

5. This transfer civil miscellaneous petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kkn

To:-

1. The Sub Judge,
The Sub-court,
Srivilliputhur,
Virudhunagar District.
2. The Sub Judge,
The Sub-court,
Chengalpattu.

+1cc to Mr.M.Rajasekar, Advocate, S.R.No.60896

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BR (CO)
PM/08/12/2021