



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 14.12.2021
CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

Tr.CMP.No.662 of 2021
and
CMP.No.16640 of 2021

Gladis Virginia

..Petitioner

Vs.

Anish Edmond Prabhu

..Respondent

Prayer: Transfer civil miscellaneous petition filed under Section 24 of CPC, seeking to withdraw FCIDOP.No.58 of 2018 from the file of the Family Court at Chengalpattu and transfer the same to the file of the Principal District Court, Tirunelveli.

For Petitioner : Mr.M.R.Sivakumar
For Respondent : M/s.R.Chavan
and Manjula Chavan

O R D E R

The petitioner / wife seeks transfer of FCIDOP.No.58 of 2018 from the file of the Family Court, Chengalpattu to the file of the Principal District Court, Tirunelveli. Transfer is sought for solely on the ground of convenience of the wife, since the wife is a resident of Vikramasingapuram near Tirunelveli. The husband is a resident of Hasthinapuram near Chennai, which falls within the jurisdiction of the Family Court at Chengalpattu.

2.The learned counsel appearing for the husband would submit that transfer of proceedings to the Principal District Court, Tirunelveli will cause much inconvenience to him and he may be forced to travel about 800 kilometres for every hearing.

3.No doubt, transfer of the proceedings to the Family Court at Tirunelveli will cause much inconvenience to the husband but the Hon'ble Supreme Court has repeatedly held that it is the convenience of the wife, which should be preferred to the convenience of the husband in matters of transfer of matrimonial proceedings. Since the transfer is sought for only to the



Principal District Court, the inconvenience caused to the husband will be largely reduced as he need not appear for every hearing. He can appear only for essential hearings and he can represent through counsel for non-essential hearings.

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4. In the light of the above, this transfer civil miscellaneous petition is allowed, FCIDOP.No.58 of 2018 pending on the file of the Family Court, Chengalpattu is withdrawn and transferred to the Principal District Court, Tirunelveli. Since the original petition is pending for three years, the Principal District Court, Tirunelveli is required to dispose of FCIDOP.No.58 of 2018 within a period of six months from the date of the receipt of the records from the transferor Court. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To:-

1. The Judge, Family Court,
Chengalpattu.

2. The Principal District Court,
Tirunelveli.

+1 cc to Mr.R.Chavan , Advocate Sr.NO. 66802

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A.SK(07.01.2022)