



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR.C.M.P.NO.746 OF 2021

AND

C.M.P.NO.17895 OF 2021

K.C.Dhivya

.. Petitioner

Vs.

K.Vinod

.. Respondent

PRAYER:

Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure, 1908, praying to withdraw HMOP. No.93 of 2020 on the file of the Sub Court, Tiruchengode and transfer the same to the file of the Family Court, Salem to be tried and disposed in accordance with law.

For Petitioner : Mr.Sharath Chandran

O R D E R

The wife seeks transfer of HMOP.No.93 of 2020 pending on the file of the Sub Court, Tiruchengode to the Family Court, Salem, solely on the ground of convenience.

2. Tiruchengode and Salem are not very far and the proceedings at Tiruchengode are before Sub-Court, where the appearance of the parties is not required for every hearing. Parties can be represented by the counsel. If the proceedings are to be transferred to Family Court, Salem, the husband, who is admittedly a resident of Tiruchengode Taluk will have to attend every hearing in person in the Family Court. The inconvenience caused to the husband will outweigh the convenience that the wife seeks.

3. It is seen from the records that the wife is also a working women, therefore it will be convenient for the parties to have the proceedings conducted at Sub-Court, Tiruchengode,



where the presence of the parties is not required for every hearing.

4. Hence, this transfer petition is dismissed. It is made clear that the Sub-Court, Tiruchengode shall not insist on appearance of the parties for every hearing as apprehended by the learned counsel for the petitioner. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

dsa/ham

To

The Subordinate Judge, Tiruchengode.

+1cc to Mr.Govind Chandrasekhar, Advocate, S.R.No.58926

TR.C.M.P.No.746 of 2021

BP(CO)
PM/16/12/2021