



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2021

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR.CMP(MD).No.495 of 2019 and
CMP(MD).No. 11508 of 2019

Jasmine Kavitha

.. Petitioner

Vs.

R. Rajkumar

.. Respondent

Prayer: Transfer CMP filed under Section 24 CPC to withdraw and to transfer the IDOP.No.75 of 2019 on the file of the Principal District Court at Pudukkottai to the Principal District and Sessions Court, Thiruvallur.

(Amended as per the order, dated 04.03.2021 made in CMP(MD).No. 6418 of 2020)

For petitioner : M/s. C. Renuka
For respondent : Ms. V. Vimala Remy

ORDER

The petitioner / wife, seeks transfer of the petition filed by the respondent / husband in IDOP.No.75 of 2019, on the file of Principal District Court, Pudukkottai seeking restitution of conjugal rights, to the Principal District and Sessions Court, Thiruvallur. The transfer is sought for solely on the ground of convenience since the wife is residing at Thiruvallur.

2. The learned counsel appearing for the respondent would submit that the respondent is having his business at Bangalore and the parents are staying at Pudukkottai and he being the only son has to look after his parents also. Therefore, the transfer of proceedings to Thiruvallur would cause hardship to him.

3. The Hon'ble Supreme Court and this Court repeatedly held that the convenience of the wife should be a paramount consideration in the matters relating to matrimonial dispute.

4. Considering the fact that the husband is a resident of the Bangalore and the travelling from Bangalore to Thiruvallur is very less, that the wife travelling to Pudukkottai from Thiruvallur.

5. Hence, the Transfer CMP is allowed and the IDOP.No.75 of 2019, pending on the file of the Principal District Court, Pudukkottai is withdrawn and transferred to the file of the Principal District and Sessions Court, Thiruvallur. Principal District Court, Pudukkottai is directed to transmit the papers to the Principal District and Sessions Court, Thiruvallur, forthwith.



No costs.
closed.

Consequently, the connected Miscellaneous Petition is

Sd/-

Assistant Registrar (CSII)

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/ /2021

Sub Assistant Registrar(CS)

To

1. Principal District Court at Pudukkottai.

2. The Principal District and Sessions Court, Thiruvallur,

+1 CC to M/s.S.PANDIYARAJ, Advocate (SR-9266[F] dated 05/03/2021)

TR.CMP(MD) .No.495 of 2019 and
CMP(MD) .No. 11508 of 2019
04.03.2021

TP(CO)

KB(25.03.2021) 2P 4C