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Tr.C.M.P.No.179 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:28.09.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

Tr.C.M.P.No.179 of 2022

L.Divya

...Petitioner

Vs

Loganathan

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure to withdraw Hindu Marriage Original Petition No.21 of 2021, on the file of the Subordinate Court, Perundurai, Erode filed by the respondent and transfer the same to the Subordinate Court, Coimbatore.

For Petitioner : Mr.S.Muthuselvan

For Respondent : Ms.M.Nandhini
for M/s.N.Ponraj



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ORDER

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The petitioner/wife has come up with this transfer Civil Miscellaneous Petition, seeking transfer of HMOP.No.21 of 2021 pending on the file of Subordinate Court, Perundurai, Erode to the file of Subordinate Court, Coimbatore.

2. Heard the arguments of the learned counsel for the petitioner and the learned counsel for the respondent.

3. According to the petitioner, she is residing at Sultur within the territorial limits of Subordinate Court, Coimbatore and having a minor child aged about 6 years and that she finds it very difficult to undertake frequent travel to attend the Court hearing.

4. It is settled law that in cases involving matrimonial disputes, the convenience of the wife shall be given preference. In the case on hand, wife is residing at Sultur, Coimbatore District and she is also having a minor child aged about 6 years. Therefore, it will be very



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difficult for the wife to undertake travel and attend the Court hearings at Perundurai. Taking into consideration the facts and circumstances of the case and the convenience of the petitioner/wife, HMOP.No.21 of 2021, pending on the file of Subordinate Court, Perundurai, Erode is withdrawn and transferred to the file of Subordinate Court, Coimbatore.

5. Accordingly, the transfer Civil Miscellaneous Petition is allowed by withdrawing the HMOP.No.21 of 2021, pending on the file of pending on the file of Subordinate Court, Perundurai, Erode and transferring the same to the Subordinate Court, Coimbatore. No costs.

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Index: Yes/ No

Speaking Order / Non-Speaking Order

To

1. The Subordinate Court, Perundurai, Erode.
2. Subordinate Court, Coimbatore.



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S.SOUNTHAR, J.

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