



WEB COPY



TR CMP No.226 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2022

CORAM:

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

TR.CMP No. 226 of 2022

and

C.M.P.No.4584 of 2022

S.Charunya Devi

... Petitioner

Vs.

Loganathan

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Cr.P.C., to withdraw and transfer the HMOP No.124 of 2021 from the file of Sub Court, Tiruvarur to the file of Family Court at Mannargudi to try the same.

For Petitioner : Mr.V.Jayakumar

For Respondent : Mr.P.Muthamizh Selvakumar

ORDER

This Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking transfer of petition for restitution of conjugal rights sought by the respondent/husband in HMOP No.124 of 2021 from the file of Sub-Court, Tiruvarur to the Family Court, Mannargudi.



TR CMP No.226 of 2022

WEB COPY

2. According to the petitioner/wife, she is residing at Church Agraharam, Mannargudi along with her child aged about six years. She expressed her difficulty in undertaking long travel to Tiruvarur to attend the court hearings.

3. The learned counsel for the respondent has submitted that he has no objection for allowing this transfer petition.

4. It is settled law that in cases involving matrimonial dispute, preference shall be given to the convenience of the wife.

5. In the case on hand, the petitioner is residing at Mannargudi and she is having a child aged about six years. She also expressed her difficulty in undertaking travel to Tiruvarur to attend the court hearings.

6. By taking into consideration the convenience of the wife, this court is inclined to allow this transfer petition.



TR CMP No.226 of 2022

7. Accordingly, this Transfer Civil Miscellaneous petition is allowed.

The petition filed in HMOP No.124 of 2021 pending on the file of Sub-Court, Tiruvarur, is withdrawn and transferred to the Family Court, Mannargudi. Consequently, connected Civil Miscellaneous Petition is closed. No costs.

15.11.2022

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
gv

To

1. The Sub-Court,
Tiruvarur.

2. The Family Court,
Mannargudi.



WEB COPY



TR CMP No.226 of 2022

S.SOUNTHAR, J.

gv

TR CMP No. 226 of 2022

and

C.M.P.No.4584 of 2022

15.11.2022