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Tr.C.M.P.No.189 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

Tr.C.M.P.No.189 of 2022
and C.M.P.No.3814 of 2022

Sridevi Subbu @ M.Sridevi

...Petitioner

Vs

K.Magesh Karthik

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure to withdraw the petition in O.P.No.320 of 2019 on the file of V Additional Family Court, Chennai and to transfer the same to the file of Family Court, Namakkal.

For Petitioner : Mr.A.Sundaravadhanan

For Respondent : M/s.J.Rajagopal



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ORDER

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The petitioner / wife has come up with this transfer Civil Miscellaneous Petition, seeking transfer of petition for restitution of conjugal rights filed by respondent / husband in O.P.No.320 of 2019, pending on the file of Family Court, Chennai, to Family Court, Namakkal.

2. According to the petitioner, she is now working as Group - I Officer and now posted at Bhavani Sagar, Erode District. She also stated in her affidavit that her children are studying in a reputed School at Namakkal. She further submitted that as a lady she finds it very difficult to undertake long travel to attend each and every hearings before the Family Court at Chennai.

3. It is settled law in the matrimonial case, the convenience of the wife shall be given preference. In the case on hand, the petitioner is working at Bhavani Sagar, Erode District. The petitioner's parents are living at Namakkal and her two children are studying in a reputed school at Namakkal.

4. The learned counsel for the respondent submitted that the respondent has some difficulty in attending Court at Namakkal. In view of the difficulty



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expressed by the respondent and also by taking into consideration the facts and circumstances of the case, this Court is inclined to allow the transfer petition by transferring the case pending before the Family Court, Chennai to Sub Court, Rasipuram.

5. Accordingly, the transfer Civil Miscellaneous Petition is allowed by withdrawing the O.P.No.320 of 2019, pending on the file of V Additional Family Court, Chennai and transferring the same to the Sub Court, Rasipuram. No costs. Consequently, the connected miscellaneous petition is closed.

19.09.2022
(1/2)

rna

Index: Yes/ No
Speaking Order / Non-Speaking Order

To

- 1.The V Additional Family Court,
Chennai.
- 2.The Family Court,
Namakkal.



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S.SOUNTHAR, J.

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