



Tr.C.M.P.No.353 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:18.10.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

Tr.C.M.P.No.353 of 2022
and CMP.No.6753 of 2022

S.Sumithira

...Petitioner

Vs

N.Raju

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure to withdraw Hindu Marriage Original Petition No.792 of 2021, on the file of the Subordinate Court, Poonamallee and transfer the same to the file of Principal Family Court, Chennai.

For Petitioner : Mr.A.Balasingh Ramanujam

For Respondent : Mr.S.Madhusudanan



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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.792 of 2021 pending on the file of Subordinate Court, Poonamallee, to the file of Principal Family Court, Chennai.

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 Kolathur within the territorial limits of Principal Family Court, Chennai and having a minor child, aged about two years and that she finds it very difficult to undertake frequent travel to attend the Court hearing.

4. The learned counsel for the respondent has no serious objection for allowing this petition.



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5. 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 Kolathur, Chennai and she is also having a minor child aged about two years. Taking into consideration the facts and circumstances of the case and the convenience of the petitioner/wife, HMOP.No.792 of 2021, pending on the file of Subordinate Court, Poonamallee is withdrawn and transferred to the file of Pincipal Family Court, Chennai.

6. Accordingly, the transfer Civil Miscellaneous Petition is allowed by withdrawing the HMOP.No.792 of 2021, pending on the file of pending on the file of Subordinate Court, Poonamallee, and transferring the same to the Principal Family Court, Chennai. No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/ No

Speaking Order / Non-Speaking Order



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S.SOUNTHAR, J.

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To

1. The Subordinate Court, Poonamallee.
2. The Principal Family Court, Chennai.

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18.10.2022