



WEB COPY



TR.CMP.No.497 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

TR.CMP.No.497 of 2022

and

C.M.P.No.9189 of 2022

R.Anitha

... Petitioner

VS

H.Muthukumar

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 151 of Civil Procedure Code, praying to withdraw the H.M.O.P.No.272 of 2021 on the file of the learned III Sub Court at Madurai and transfer the same to the file of any learned Family Court, Coimbatore.

For Petitioner : M/s.M.Vignesh

For Respondent : No Appearance

ORDER

This Transfer Civil Miscellaneous Petition has been filed by the petitioner/wife seeking transfer of petition filed for divorce by respondent/husband in H.M.O.P.No.272 of 2021 from the file of the Sub



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Court, Madurai to the Family Court, Coimbatore.

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2. Though respondent was served and the counsel entered appearance, there is no representation for the respondent.

3. According to the petitioner, she is residing at Coimbatore and the respondent has wantonly filed petition for divorce against her before the Sub Court, Madurai. As a lady, she finds it very difficult to undertake long travel to Madurai to attend the Court hearings.

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

5. In the case on hand, the petitioner is residing at Coimbatore and she has no companion to accompany her to undertake long travel. By taking into consideration the facts and circumstances of the case and also the convenience of the petitioner/wife, this Court is inclined to order the transfer petition.



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WEB COPY 6. Accordingly, this Transfer Civil Miscellaneous Petition is allowed.

The petition filed in H.M.O.P.No.272 of 2021, pending on the file the Sub Court, Madurai is withdrawn and transferred to the Family Court, Coimbatore. Consequently, connected miscellaneous petition is closed. No costs.

23.09.2022

Index : Yes / No
Speaking Order : Yes / No
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To

1. The Family Court,
Madurai.
2. The Family Court,
Coimbatore.



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S.SOUNTHAR, J.

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