



Tr.C.M.P.No.530 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

TR.C.M.P.No.530 of 2022

and

C.M.P.No.9518 of 2022

V.Swethambara

... Petitioner

Vs.

S.Balaji

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition under Section 24 of Civil Procedure Code to withdraw the H.M.O.P.No.392 of 2021 pending before the learned Special Family Court at Madurai and to transfer the case to the Family Court in Chennai.

For Petitioner : M/s.B.Vasanthan

For Respondent : M/s.P.Jesus Moris Ravi

ORDER

This transfer petition is filed by the petitioner/wife seeking transfer of petition for divorce by the respondent/husband in H.M.O.P.No.392 of 2021 from the file of the Special Family Court, Madurai to the Family Court, Chennai.

2. According to the petitioner/wife, she is residing at Thiruvanmiyur, Chennai and she is having a child aged about 9 years. It is also stated that child of the



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petitioner is having congenital heart disorder. Therefore, she expressed her difficulty in undertaking a long travel to Madurai to attend the Family Court hearings.

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

4. In the case on hand, the petitioner/wife is residing at Thiruvannamiyur, Chennai, within the territorial limits of the Family Court, Chennai and she is having a child aged about 9 years, suffering from congenital heart disorder. By taking into consideration, the convenience of the petitioner/wife, this Court is inclined to order the above transfer petition as indicated below.

5. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. The petition filed in H.M.O.P.No.392 of 2021 on the file of the Special Family Court, Madurai is withdrawn and transferred to the file of the Family Court, Chennai. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

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Index: Yes/ No

Speaking Order / Non-Speaking Order

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To
WEB COPY

1. The Special Family Court,
Madurai.
2. The Family Court,
Chennai.

S.SOUNTHAR, J.

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