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Tr.C.M.P.No.537 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

Tr.C.M.P.No.537 of 2022

and

C.M.P.No.9547 of 2022

Senthamil Selvi

... Petitioner

Vs.

Vinoth Kumar

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, praying to withdraw the O.P.No.17 of 2022 pending on the file of the Family Court, Udhagamandalam and transfer the same to the file of the Family Court, Chennai.

For Petitioner : Ms.V.Janaranjani
for Mr.M.Vijayamehanath

For Respondent : Mr.S.Vellidoss

ORDER

The Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking transfer of petition for divorce filed by the respondent/husband in O.P.No.17 of 2022 from the file of the Family Court, Udhagamandalam to the file of the Family Court, Chennai.

2. Heard the arguments of the learned counsel for the petitioner and the



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learned counsel for the respondent.

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3. According to the petitioner/wife, she is residing at Velachery, Chennai and she is having a child aged about 4 years. As a lady, she finds it very difficult to undertake such a long travel to Udhagamandalam to attend each and every court hearings. Therefore, she filed this transfer petition with the aforesaid prayer.

4. The learned counsel for the respondent vehemently opposed the transfer petition on the ground that the petitioner filed this transfer petition just to harass the respondent.

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

6. In the case on hand, the petitioner/wife is residing at Velachery, Chennai within the territorial limits of Family Court, Chennai and she is having a child aged about 4 years. She had expressed her difficulty in undertaking travel to Udhagamandalam to attend each and every court hearings.

7. By taking into consideration the convenience of the petitioner/wife, this



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Court is inclined to order the above transfer petition as prayed for.

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8. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and O.P.No.17 of 2022 pending on the file of the Family Court, Udhagamandalam is withdrawn and transferred to the file of the Family Court, Chennai. No costs. Consequently, the connected civil miscellaneous petition is closed.

15.11.2022

Index : Yes/No

Speaking Order : Yes/No

dm

To

1.The Family Court,
Udhagamandalam.

2.The Family Court,
Chennai.



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S.SOUNTHAR, J.
dm

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