



Tr.CMP.No.557 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

Tr.CMP.No.557 of 2022

and

CMP.No.9716 of 2022

S.Abitha

... Petitioner

Vs.

C.Nepolean

... Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of CPC, to withdraw IDOP.No.22 of 2022 pending before the Principal District Judge, Vellore and transfer the same to the Family Court, Thiruvallur.

For Petitioner : Mr.A.Suresh Sakthi Murugan

For Respondent : Mr.D.K.Nepolean



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ORDER

The petitioner seeks transfer of petition for divorce filed by the respondent/husband in IDOP.No.22 of 2022 pending on the file of the Principal District Court, Vellore and transfer the same to the Family Court, Thiruvallur.

2. According to the petitioner/wife, she is residing at Kadabathur Village, Thiruvallur District, along with her parents, within the territorial jurisdiction of the Family Court, Thiruvallur. The petitioner also averred in the affidavit that she is unable to meet the travel expenses. Therefore, it is stated that it would not be convenient for the petitioner to undertake a travel to Vellore to attend the hearing before the Principal District Court, Vellore.

3. It is settled law that, in a case involving matrimonial disputes, the convenience of the wife should be given preference. In the case on hand, the petitioner is residing at Kadambathur, within the territorial limits of Family Court, Thiruvallur and she has also expressed a difficulty to meet the travelling expenses. Further, as a lady, it would be difficult for her to



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undertake a long travel without any companion. The facts and circumstances and balance of convenience requires the transfer of IDOP.No.22 of 2022, petition, filed by the respondent/husband to the Family Court, Thiruvallur.

4. Accordingly, the transfer petition is allowed by withdrawing IDOP.No.22 of 2022 from the file of Principal District Court, Vellore and transferring the same to the file of Family Court, Thiruvallur. No Costs. Consequently, connected Miscellaneous Petition is closed.

20.09.2022

Index : Yes / No
Internet : Yes / No
dna

To

- 1.The Principal District Court, Vellore.
- 2.The Family Court, Thiruvallur.



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S.SOUNTHAR, J.

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