



Tr.CMP.No.632 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2022

CORAM:

THE HONOURABLE **MR.JUSTICE S.SOUNTHAR**

Tr.CMP.No.632 of 2022

and

C.M.P.No.10803 of 2022

A.Gayathiri

... Petitioner

Versus

K.Saravanan

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, praying to withdraw the H.M.O.P.No.189 of 2020, on the file of the learned Principal Subordinate Court, Kumbakonam and transfer the same to the learned Principal Family Court, Chennai with a direction to try the same.

For Petitioner : Mr.M.K.Bhoopathy Rajan

For Respondent : No appearance

ORDER

This Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking transfer of petition for divorce filed by the respondent-husband in H.M.O.P.No.189 of 2020 from the file of the Principal Subordinate Court,



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Kumbakonam to the Principal Family Court, Chennai.

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2.Though the notice has been served on the respondent and his name is appeared in the cause list, there is no representation for the respondent.

3.According to the petitioner/wife, she is residing at Alandhur, Chennai and she is having 5 years old female child. She also expressed her difficulty in undertaking long travel to Kumbakonam to attend Court hearings.

4.It is settled law that in the matter 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 Alandhur, Chennai. Admittedly, she is having 5 years old female child. She had also expressed difficulty in undertaking long travel to attend each and every Court hearings at Kumbakonam.

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



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this Court is inclined to order the Tr.C.M.P. Petition. Accordingly, the Transfer Civil Miscellaneous Petition is allowed. The petition in H.M.O.P.No.189 of 2020 pending on the file of the Principal Subordinate Court, Kumbakonam is withdrawn and transferred to the Principal Family Court, Chennai. Consequently, the connected Civil Miscellaneous Petition is also closed. No costs.

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Index : Yes / No
Speaking Order : Yes / No
rpl

To

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

S.SOUNTHAR, J.



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