



Tr.C.M.P.No.674 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:18.10.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

Tr.C.M.P.No.674 of 2022
and CMP.No.11625 of 2022

Kiruthiga

...Petitioner

Vs

Ramesh

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 151 of the Code of Civil Procedure to withdrawing the case in HMOP.No.6 of 2022, on the file of the Principal Subordinate Court, Trichy and transfer the same to the Family Court, Salem.

For Petitioner : Mr.P.Dasarathan

For Respondent : No Appearance



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ORDER

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The petitioner/wife has come up with this transfer Civil Miscellaneous Petition, seeking transfer of HMOP.No.6 of 2022 pending on the file of Principal Subordinate Court, Trichy to the file of Family Court, Salem.

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

3. According to the petitioner, she is residing at Ammapet, Salem and she is also having a child aged about one year and therefore, she finds it very difficult to undertake frequent travel to attend the Court hearing.

4. It is settled law that in cases involving matrimonial disputes, the convenience of the wife shall be given preference. In the case on hand, wife is residing at Salem and she is also having a minor child aged about one year. Therefore, it will be very difficult for the wife



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to undertake travel and attend the Court hearings at Trichy. Taking into consideration the facts and circumstances of the case and the convenience of the petitioner/wife, HMOP.No.6 of 2022, pending on the file of Principal Subordinate Court, Trichy is withdrawn and transferred to the file of Family Court, Salem.

5. Accordingly, the transfer Civil Miscellaneous Petition is allowed by withdrawing the HMOP.No.6 of 2021, pending on the file of Principal Subordinate Court, Trichy and transferring the same to the Family Court, Salem. No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/ No

Speaking Order / Non-Speaking Order

To

1. The Principal Subordinate Court, Trichy.
2. The Family Court, Salem.

S.SOUNTHAR, J.

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