



Tr.C.M.P.No.665 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

TR.C.M.P.No.665 of 2022

R.Kalaiselvi

... Petitioner

Vs.

R.Rajesh

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition under Section 24 of Civil Procedure Code to withdraw and transfer the case in H.M.O.P.No.30 of 2022 pending trial before Sub Court, Gingee, Villupuram District to the Sub Court Arni, Tiruvannamalai District.

For Petitioner : Mr.Dharani Kasinathan

For Respondent : No Appearance.

ORDER

This transfer petition is filed by the petitioner/wife seeking transfer of petition for divorce filed by the respondent/husband in H.M.O.P.No.30 of 2022, from the Sub Court, Gingee, Villupuram District to the Sub Court, Arni, Tiruvannamalai District.



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

3. According to the petitioner/wife, she is residing at Sevoor, Arni Taluk, Tiruvannamalai District and she is having three babies aged about 5 years, 3 years and a just born baby and she finds it very difficult to undertake travel to Gingee to attend the Court hearings.

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

5. In the case on hand, petitioner/wife is residing at Sevoor, Arni Taluk, Tiruvannamalai District within the territorial limits of the Sub Court, Arni and it is also stated that petitioner/wife is having three babies aged about 5 years, 3 years and a just born baby. Therefore, by taking into consideration the convenience of petitioner/wife, this Court is inclined to order the above transfer petition.



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6. Accordingly this Transfer Civil Miscellaneous Petition is allowed. The petition filed in H.M.O.P.No.30 of 2022 pending on the file of the Sub Court, Gingee, Villupuram District is withdrawn and transferred to the Sub Court, Arni, Thiruvannamalai. No costs.

16.11.2022

Index: Yes/ No
Speaking Order / Non-Speaking Order
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To

1. The Sub Court, Gingee,
Villupuram District.
2. The Sub Court,
Arni, Tiruvannamalai District.



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