



Tr.CMP.No.774 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 10.11.2022**

**CORAM:**

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

**Tr.CMP.No.774 of 2022**

Mathumitha

... Petitioner

Vs.

R.Seetharaman

... Respondent

**Prayer:** Transfer Civil Miscellaneous Petition filed under Section 24 of CPC, to withdraw the case HMOP.No.81 of 2022 pending on the file of the learned Family Court, Mannargudi and transfer the same on the file of the learned Family Court, Karaikal.

For Petitioner : Mr.T.Susindran

For Respondent : Mr.Swami Subramanian



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### **ORDER**

This transfer petition is filed by the petitioner/wife seeking transfer of petition for divorce filed by the respondent/husband in HMOP.No.81 of 2022 from the file of the learned Family Court, Mannargudi to the file of the learned Family Court, Karaikal.

2. According to the petitioner/wife, she is residing at Sethur, Karaikal and and she is having one year old child. It is averred that she has expressed her difficulty in travelling from Karaikal to Manargudi, for each and every hearing. It was also averred in the affidavit filed by the wife that her parents are old people and they are not in a position to accompany her for travel. Therefore, it is stated that it would not be convenient for the petitioner to undertake a travel to Manargudi, to attend the hearing before the Family Court, Manargudi.

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 Sethur, Karaikal, within the territorial limits of



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Family Court, Karaikal and she is having one year old child. The facts and circumstances and balance of convenience requires the transfer of HMOP.No.81 of 2022, divorce petition filed by the respondent/husband to the Family Court, Karaikal.

4. Accordingly, the transfer petition is allowed. The HMOP.No.81 of 2022 is withdrawn and transferred from the file of the Family Court, Manargudi, to the file of the Family Court, Karaikal. No Costs.

**10.11.2022**

Index : Yes/No  
Internet : Yes/No  
dna

**To**

- 1.The Family Court, Manargudi.
- 2.The Family Court, Karaikal.



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**S.SOUNTHAR, J.**

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