



DATED: 19.09.2022

THE HONOURABLE Mr. JUSTICE S.SOUNTAR

R.Hemalatha

...Petitioner

$$V_S$$

G.Raghunath

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure to withdraw the H.M.O.P.No.452 of 2022 from the file of the Hon'ble Family Court, Madurai District, and transfer the same to the file of the Hon'ble Family Court, Chennai Distrit.

For Petitioner : M/s.J.Soundari Chandrasekar

For Respondent : M/s.S.Jim Raj Milton



Tr.C.M.P.No.716 of 2022

ORDER

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The petitioner/wife filed this Transfer Civil Miscellaneous Petition seeking transfer of H.M.O.P.No.452 of 2022 filed by the respondent/husband for divorce before the Family Court, Madurai District.

2. According to the petitioner, she is working at the State Bank of India, Santhome Branch, Chennai and the respondent/husband though working in Chennai filed a petition before the Family Court, Madurai in order to harass the petitioner. According to the petitioner, she finds it very difficult to undertake long travel to Madurai to attend the Family Court hearings at Madurai.

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

4. In the case on hand petitioner/wife is working at Chennai and it is also stated by the learned counsel for the petitioner that the wife had filed a petition for restitution of conjugal rights in F.C.O.P.3409 of 2022 before the Family Court Chennai and the same is recorded. If these two petitions filed by the parties are allowed to go before two different Courts, there will be likelihood of



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conflict of judicial verdicts. Taking into consideration of the facts and circumstances of the case and also the convenience of the wife, this Court is inclined to order the TR.C.M.P.No.716 of 2022

5. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. The petition filed in H.M.O.P.No.452 of 2022 pending on the file of the Family Court, Madurai District is withdrawn and transferred to the file of the Family Court, Chennai. Consequently, connected miscellaneous petition is closed. No costs.

19.09.2022

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

To

- 1.The Family Court,
Madurai District.
- 2.The Family Court,
Chennai District.



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S.SOUNTHAR, J.

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Tr.C.M.P.No.716 of 2022
and C.M.P.No.12165 of 2022

19.09.2022