



Tr.C.M.P.No.710 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

Tr.C.M.P.No.710 of 2022

and

C.M.P.No.12090 of 2022

Suryakumari @ Stella Marry

... Petitioner

Vs.

S.Gnanaprakash

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, praying to withdraw the I.D.O.P.No.56 of 2022 from the file of the Principal District Sessions Court, Dindigul and transfer to the file of the Principal Family Court at Chennai.

For Petitioner : Mr.P.Anbazhagan

For Respondent : Mr.V.Durai Pandi

ORDER

This transfer petition is filed seeking transfer of petition for divorce filed by the respondent/husband in I.D.O.P.No.56 of 2022 from the file of the Principal District Sessions Court, Dindigul to the file of the Principal Family Court, Chennai.



Tr.C.M.P.No.710 of 2022

2. Heard the arguments of the learned counsel for the petitioner and the

learned counsel for the respondent.

3. According to the petitioner/wife, she is residing at Chennai and she is having a female child aged about 2 years. Hence, she finds it very difficult to undertake long travel of more than 490 kms to Dindigul to attend each and every court hearings. Therefore, she filed this transfer petition with the aforesaid prayer.

4. The learned counsel for the respondent by taking this Court to the averments found in the counter affidavit for transfer, submitted that the petitioner's family has got a political background and the petitioner's family members are influential people. It is also stated that the brother of the petitioner came to native place of the respondent and threatened him.

5. However, there is no materials available on record to substantiate those allegations.

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



Tr.C.M.P.No.710 of 2022

7. In the case on hand, petitioner/wife is residing at Chennai and she is having a female child aged about 2 years. Therefore, it will be very difficult for her to undertake long travel of more than 490 kms to Dindigul to attend each and every court hearings.

8. Taking into consideration the convenience of the wife, this Court is inclined to order the above transfer petition as prayed for.

9. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and I.D.O.P.No.56 of 2022 pending on the file of the Principal District Sessions Court, Dindigul is withdrawn and transferred to the file of the Principal Family Court, Chennai. No costs. Consequently, connected civil miscellaneous petition is closed.

19.10.2022

Index : Yes/No
Speaking Order : Yes/No
dm



WEB COPY



Tr.C.M.P.No.710 of 2022

S.SOUNTHAR, J.
dm

To

- 1.The Principal District Sessions Court,
Dindigul.
- 2.The Principal Family Court,
Chennai.

Tr.C.M.P.No.710 of 2022

19.10.2022