



WEB COPY



Tr.C.M.P.No.735 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

Tr.C.M.P.No.735 of 2022

and

C.M.P.No.12525 of 2022

J.Rajeswari

... Petitioner

VS.

S.G.Gunasekaran

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, praying to withdraw O.P.No.2169 of 2021 on the file of the Sub Court, Alandur and transfer the same to the Family Court, Puducherry.

For Petitioner : Mr.K.S.Karthik Raja

For Respondent : Mr.G.Palani

ORDER

The Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking transfer of petition for divorce filed by the respondent/husband in O.P.No.2169 of 2021 pending on the file of the Sub Court, Alandur to the file of the Family Court, Puducherry.

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



Tr.C.M.P.No.735 of 2022

learned counsel for the respondent.

WEB COPY

3. According to the petitioner/wife, she is residing at Puducherry and she is a bank employee working at Puducherry. As a lady, she finds it very difficult to undertake long travel nearly 150 kms to Alandur to attend each and every court hearings. Therefore, she filed this transfer petition with the aforesaid prayer.

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, the petitioner/wife is employed at Puducherry and and in connection with her employment, she is residing at Puducherry. She had also expressed her difficulty in undertaking long travel to Alandur to attend each and every court hearings.

6. By taking into consideration the convenience of the petitioner/wife, this Court is inclined to order the above transfer petition as prayed for.



Tr.C.M.P.No.735 of 2022

7. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and O.P.No.2169 of 2021 pending on the file of the Sub Court, Alandur is withdrawn and transferred to the file of the Family Court, Puducherry. No costs. Consequently, the connected civil miscellaneous petition is closed.

8. Both the learned counsel for the petitioner and the respondent requested this Court to fix time limit for disposal of the main original petition. In view of the consensus arrived at by the learned counsel for both parties and also controversy is with regard to the matrimonial dispute, this Court is inclined to issue a direction to the Family Court, Puducherry to dispose of O.P.No.2169 of 2021 within a period of nine months from the date of receipt of original records from the transferor Court.

15.11.2022

Index : Yes/No

Speaking Order : Yes/No

dm

To

1.The Sub Court, Alandur.

2.The Family Court, Puducherry.



WEB COPY



Tr.C.M.P.No.735 of 2022

S.SOUNTHAR, J.
dm

Tr.C.M.P.No.735 of 2022

15.11.2022