



WEB COPY



Tr.CMP.No.769 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

Tr.CMP.No.769 of 2022

and

C.M.P.No.13115 of 2022

S.Saranya

... Petitioner

Vs.

D.Sathish

... Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of CPC, to withdraw the HMOP No.303 of 2022 on the file the learned Family Court Judge at Tiruppur and transfer to Sub-Court, Mettur.

For Petitioner : Mr.S.Bharanidharan

For Respondent : Mr.K.Naveen Kumar for
M/s.N.S.Suganthan



WEB COPY



Tr.CMP.No.769 of 2022

ORDER

The petitioner/wife seeks transfer of divorce petition filed by the respondent/husband in HMOP.No.303 of 2022 pending on the file of the Family Court, Tiruppur to the file of Sub-Court, Mettur.

2. According to the petitioner/wife, she is residing at Mettur along with her parents, within the territorial jurisdiction of the Sub-Court, Mettur. The petitioner also averred in the affidavit that she is having difficulty in undertaking a long travel and therefore, it is stated that it would not be convenient for the petitioner to undertake a travel to Tiruppur to attend the hearing before the Family Court, Tiruppur.

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 Mettur along with her parents, within the territorial limits of Sub Court, Mettur, and she has no one to accompany her. In the facts and circumstances of the case and also by taking into consideration the



Tr.CMP.No.769 of 2022

convenience of the wife, I am inclined to order transfer of HMOP.No.303 of 2022, divorce petition, filed by the respondent/husband to the Sub-Court, Mettur.

4. Accordingly, the transfer petition is allowed by withdrawing H.M.O.P.No.303 of 2022 from the file of Family Court, Tiruppur and transferring the same to the file of Sub Court, Mettur. No Costs. Consequently, connected miscellaneous petition is closed.

5. The learned counsel for the respondent seeking time limit for disposal of the case. Therefore, the Sub Court, Mettur, is directed to dispose of the case within a period of six months from the date of receipt of material records from the transferor Court.

27.09.2022

Index : Yes / No
Internet : Yes / No
dna



WEB COPY



Tr.CMP.No.769 of 2022

S.SOUNTHAR, J.
dna

To

- 1.The Family Court Judge, Tiruppur.
- 2.The Sub-Court, Mettur.

Tr.CMP.No.769 of 2022
and
C.M.P.No.13115 of 2022

27.09.2022