



Tr.C.M.P.No.840 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.840 of 2022

and

C.M.P.No.14443 of 2022

Malathi

... Petitioner

VS.

Udhayakumar

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, praying to withdraw the case in H.M.O.P.No.41 of 2022 on the file of the Sub Court at Arni, Thiruvannamalai District and transfer the same to the Family Court at Chengalpattu.

For Petitioner : Mr.T.Wilson Easterraj

For Respondent : No Appearance

ORDER

The Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking transfer of petition for divorce filed by the respondent/husband in H.M.O.P.No.41 of 2022 from the file of the Sub Court, Arni, Tiruvannamala District to the file of the Family Court, Chengalpattu.

2. Though notice was served on the respondent and his name appears in



Tr.C.M.P.No.840 of 2022

the cause-list, there is no representation for the respondent.

WEB COPY

3. According to the petitioner/wife, she is residing at Kattankolathur Village, Chengalpattu Taluk and District and her parents are not alive. It is also stated that she has no male companion to accompany her to undertake travel to Arni to attend each and every court hearings. Therefore, she filed this transfer petition with the aforesaid prayer.

4. When the transfer civil miscellaneous petition is taken up for hearing today, the learned counsel for the petitioner produced e-court status stating that the petition filed by the respondent has been transferred to Sub Court, Polur on administrative grounds, but it has not been re-numbered.

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

6. In the case on hand, the petitioner/wife is residing at Kattankolathur Village within the territorial limits of Family Court, Chengalpattu and her parents are not alive. It is also stated that she has no male companion to accompany her



Tr.C.M.P.No.840 of 2022

to undertake travel to Arni to attend each and every court hearings.

WEB COPY

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

8. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.41 of 2022 pending on the file of the Sub Court, Arni (now transferred to Sub Court, Polur) is withdrawn and transferred to the file of the Family Court, Chengalpattu. No costs. Consequently, the connected civil miscellaneous petition is closed.

15.11.2022

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

To

1.The Sub Court, Arni,
Thiruvannamalai District.

2.The Family Court,
Chengalpattu.



WEB COPY



Tr.C.M.P.No.840 of 2022

S.SOUNTHAR, J.
dm

Tr.C.M.P.No.840 of 2022

15.11.2022