



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR CMP No.791 of 2021
and CMP No.18418 of 2021

M.Kaviya

... Petitioner

Vs

G.Kannan

... Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, pleased to withdraw the O.P.No.2209 of 2019 on the file of the III Additional Family Court at Chennai and transfer the same to the Family Court at Salem.

For Petitioner : Mr.C.Rajaguru

For Respondent : Mr.C.R.Venkatesvara

O R D E R

The petitioner wife seeks transfer of FCOP.No.2209 of 2019 pending on the file of the III Additional Family Court, Chennai to Family Court, Salem.

2.The said proceeding is one for restitution of conjugal rights filed by the husband. The transfer is sought for mainly on the ground of convenience, since the wife is a resident of Mathaiyankuttai Village near Mettur Dam in Salem District. No doubt, the convenience of the wife is to be looked into in matters of transfer. The Courts cannot also ignore the inconvenience that would be caused to the husband because of the transfer. If the proceeding, which is now pending at Chennai is transferred to Family Court, Salem, the husband will be put to lot of inconvenience as he would be required to appear before the Family Court, Salem for every hearing. To avoid any inconvenience to the parties because of the transfer and to ensure that the wife also is able to conduct the proceedings at the most convenient venue, I deem it fit to transfer the matter to a Sub



Court, where the presence of the parties for every hearing is not mandatory. The transfer to the Sub Court will largely reduced the inconvenience that would be caused to the husband because of the transfer. Hence, this Transfer Civil Miscellaneous Petition is allowed. FCOP.No.2209 of 2019 is withdrawn from the file of the III Additional Family Court, Chennai and transferred to the Sub Court, Omalur to be disposed of in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

vs

To

1. The III Additional Family Court,
Chennai.

2. The Subordinate Judge,
Omalur.

+1cc to Mr.C.Rajaguru, Advocate SR.No.6528

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MT(CO)
CB(24/02/2022)