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TR.CMP.No.859 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

TR.CMP.No.859 of 2022
and CMP.No.14938 of 2022

Vallikannu

... Petitioner

VS

C.Ganesh

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, pleaded to withdraw the H.M.O.P.No.620 of 2019, on the file of the Hon'ble Subordinate Court, Tambaram, Chengalpattu District and transfer to the Hon'ble Subordinate Court, Devakottai, Sivagangai District.

For Petitioner : G.Mutharasu
For Respondent : Mr.S.Chandrasekar

ORDER

The petitioner/wife has come up with this transfer Civil Miscellaneous Petition, seeking transfer of the petition for divorce filed by



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the respondent/husband in H.M.O.P.No.620 of 2019 from the file of the Subordinate Court, Tambaram, to the file of Subordinate Court, Devakottai.

2. According to the petitioner/wife, she is residing at Karaikudi within the territorial limits of the Subordinate Court, Devakottai along with her parents and she has no male companion to undertake long distance travel from Karaikudi to Tambaram, which is 350 Kms away. Hence, she finds it very difficult to undertake such a long travel to attend the Court proceedings.

3. It is settled law that in the matrimonial cases, the convenience of the wife shall be given preference. In the case on hand, the petitioner is residing at Karaikudi within the territorial limits of the Subordinate Court, Devakottai. It is also stated that the parents of the petitioner are very old and they are not in a position to accompany her. By considering the facts and circumstances of the case and convenience of the wife, this Court is inclined to order the above transfer application.



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4. Accordingly, the transfer Civil Miscellaneous Petition is allowed by withdrawing the H.M.O.P.No.620 of 2019, from the file of the Subordinate Court, Tambaram and transferring the same to the file of Subordinate Court, Devakottai. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No
Internet : Yes / No
Speaking Order : Yes / No

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S.SOUNTHAR, J.

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To

- 1.The Subordinate Court, Devakottai.
- 2.The Subordinate Court, Tambaram.

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