



TR.CMP.No.897 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

TR.CMP.No.897 of 2022
and CMP.No.15483 of 2022

Ruthranayagi S

... Petitioner

VS

S.Mahalingam

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, praying to withdraw the H.M.O.P.No.116 of 2022 on the file of Hon'ble Subordinate Court, Tirupattur and transfer the same to the Hon'ble Subordinate Court, Tambaram.

For Petitioner : M/s.K.Nithyashree
For Respondent : No appearance

ORDER

The petitioner/wife has come up with this transfer Civil Miscellaneous Petition, seeking transfer of the petition for divorce filed by the respondent/husband in H.M.O.P.No.116 of 2022 from the file of Subordinate



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Court, Tirupattur, to the file of Subordinate Court, Tambaram.

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2. Though the respondent was served and his name appeared in the cause list, there is no representation for the respondent.

3. According to the petitioner/wife, she is residing at Chrompet, within the territorial limits of the Subordinate Court, Tambaram and the respondent has filed the petition for divorce at Subordinate Court, Tirupattur just to harass the petitioner. It is also stated that she is having a child aged about two years.

4. 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 Chrompet within the territorial limits of the Subordinate Court, Tambaram. Tirupattur is nearly 300 Kms away from the place of her residence. It is also stated that the petitioner is having a child aged about two years. Therefore, it may not be convenient for her to travel to Tirupattur to attend the Court hearings. By taking into consideration of the facts and circumstance of the



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case and convenience of the wife, this Court is inclined to order the above transfer petition.

5. Accordingly, the transfer Civil Miscellaneous Petition is allowed by withdrawing the H.M.O.P.No.116 of 2022 , from the file of the Subordinate Court, Tirupattur and transferring the same to the file of Subordinate Court, Tambaram. 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, Tirupattur.
- 2.The Subordinate Court, Tambaram.

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