



WEB COPY



Tr.C.M.P.No.869 of 2022_

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:18.10.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

Tr.C.M.P.No.869 of 2022
and
CMP.No.15065 of 2022

Jaimitha

...Petitioner

Vs

S.Charke Bose

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure to withdraw the M.O.P No.202 of 2022, pending on the file of the Family Court, Puducherry and to transfer the same to the file of IV Additional Family Court, Chennai.

For Petitioner : Mr.A.R.Nixon

For Respondent : Mr.Sasindran

ORDER

The petitioner/wife has come up with this transfer Civil Miscellaneous Petition, seeking transfer of M.O.P.No.202 of 2022, pending on the file of the Family Court, Puducherry and to transfer the same to the file of IV Additional Family Court, Chennai.



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2. Heard the arguments of the learned counsel for the petitioner and the learned counsel for the respondent.

3. According to the petitioner, she is residing at Chennai and she is having four years old child and consequently, she finds it very difficult to undertake frequent travel to attend the Court hearing.

4. The learned counsel for the respondent submitted that the petitioner had filed a petition seeking restitution of conjugal rights in HMOP.No.3287 of 2022 and a petition seeking maintenance in MC.No.213 of 2022, on the file of the IV Additional Family Court, Chennai.

5. It is settled law that in cases involving matrimonial disputes, the convenience of the wife shall be given preference. In the case on hand, wife is residing at Chennai, within the territorial limits of Family Court, Chennai. It is also stated that the petitioner is having four years old child. Taking into consideration the facts and circumstances



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of the case and the convenience of the petitioner/wife, MOP.No.202 of 2022, pending on the file of the Family Court, Puducherry, is transferred to the file of the IV Additional Family Court, Chennai.

6. Accordingly, the transfer Civil Miscellaneous Petition is allowed by withdrawing the MOP.No.202 of 2022, pending on the file of Family Court, Puducherry and transferring the same to the file of the IV Additional Family Court, Chennai. No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/ No

Speaking Order / Non-Speaking Order



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S.SOUNTHAR, J.

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To

1. The Family Court, Puducherry.
2. The IV Additional Family Court, Chennai.

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