



Tr.CMP.No.893 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

Tr.CMP.No.893 of 2022

and

C.M.P. No.15450 of 2022

Bhuvaneshwari @ D.Surya

... Petitioner

Vs.

S.Parthiban

... Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of CPC, to withdraw the HMOP No.78 of 2022 on the file of the Sub Judge, Perundurai and transfer the same to the Family Court, Trichy.

For Petitioner : Mr.V.Vijay Shankar

For Respondent : Ms.N.Premalatha for
M/s.R.Nalliappan



Tr.CMP.No.893 of 2022

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ORDER

The petitioner/wife is seeking transfer of divorce petition filed by the respondent/husband in H.M.O.P.No.78 of 2022 pending on the file of the Subordinate Court, Perundurai to the Family Court, Trichy.

2. According to the petitioner/wife, she is residing at Srirangam, Trichy within the territorial jurisdiction of the Family Court, Trichy. She has expressed her difficulty in travelling from Srirangam to Perundurai for each and every hearing, since the distance between Srirangam to Perundurai is almost 200 kms. The petitioner also averred in the affidavit that she is having a minor child aged about 5 years old. Therefore, it is stated that it would not be convenient for the petitioner to undertake a travel to Perundurai to attend the hearing before the Sub-Court, Perundurai.

3. It is settled law that, in a case involving matrimonial disputes, the convenience of the wife should be given preference. In the case on hand, the petitioner is residing at Srirangam, within the territorial limits of Family Court, Trichy, and she is also having a minor child. The facts and



Tr.CMP.No.893 of 2022

circumstances and balance of convenience requires transfer of HMOP.No.78 of 2022, divorce petition, filed by the respondent/husband to the Family Court, Trichy.

4. Accordingly, the transfer petition is allowed by withdrawing H.M.O.P.No.78 of 2022 from the file of Sub-Court, Perundurai and transferring the same to the file of Family Court, Trichy. No Costs. Consequently, connected miscellaneous petition is closed.

27.09.2022

Index : Yes / No
Internet : Yes / No
dna

To

- 1.The Sub Judge, Perundurai.
- 2.The Family Court, Trichy.



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Tr.CMP.No.893 of 2022

S.SOUNTHAR, J.
dna

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