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Tr.C.M.P.No.905 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

Tr.C.M.P.No.905 of 2022

and

C.M.P.No.15538 of 2022

R.Sowmiya Priya

... Petitioner

Vs.

S.Eswaran

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, praying to withdraw F.C.O.P.No.280 of 2022 pending before Family Court at Erode and transfer the same to the Family Court at Tiruchirapalli filed by the respondent for divorce.

For Petitioner : Mr.P.Chandrasekar

For Respondent : Mr.C.S.Saravanan

ORDER

The petitioner/wife seeks transfer of petition for divorce filed by the respondent/husband in F.C.O.P.No.280 of 2022 from the file of the Family Court, Erode to the file of the Family Court, Tiruchirapalli.

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



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learned counsel for the respondent.

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3. According to the petitioner/wife, she is residing at Uyya Kondan, Tiruchirapalli and she is having two school going children. She also averred that the distance between Tiruchirapalli and Erode is 200 kms and as a lady, she finds it very difficult to undertake such a long travel to Erode to attend each and every court hearings. Therefore, she filed this transfer petition with the aforesaid prayer.

4. It is settled law that in cases involving matrimonial dispute, the preference shall be given to the convenience of the petitioner/wife.

5. In the case on hand, the petitioner/wife is residing at Uyya Kondan within the territorial limits of Family Court, Tiruchirapalli. It is also stated that she is having two school going children. She also averred that the distance between Tiruchirapalli and Erode is 200 kms and as a lady, she finds it very difficult to undertake such a long travel to Erode to attend each and every court hearings.

6. By taking into consideration the convenience of the petitioner/wife, this



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Court is inclined to order the above transfer petition as prayed for.

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7. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and F.C.O.P.No.280 of 2022 pending on the file of the Family Court, Erode is withdrawn and transferred to the file of the Family Court, Tiruchirapalli. No costs. Consequently, the connected civil miscellaneous petition is closed.

01.11.2022

Index : Yes/No
Speaking Order : Yes/No
dm

To

1.The Family Court,
Erode.

2.The Family Court,
Tiruchirapalli.



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S.SOUNTHAR, J.
dm

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