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Tr.C.M.P.No.918 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.10.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

Tr.C.M.P.No.918 of 2022

and

C.M.P.No.15751 of 2022

S.Keerthana

... Petitioner

Vs.

Arjunan

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, praying to withdraw the H.M.O.P.No.6 of 2022 pending on the file of the Family Court, Nagapattinam and transfer the same to the file of Family Court at Coimbatore.

For Petitioner : Mr.S.Saravanakumar

For Respondent : No Appearance

ORDER

The petitioner/wife seeks transfer of petition for restitution of conjugal rights filed by the respondent/husband in H.M.O.P.No.6 of 2022 pending on the file of the Family Court, Nagapattinam to the file of the Family Court, Coimbatore.

2. Though notice was served on the respondent and his name appears in



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the cause-list, there is no representation for the respondent.

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3. The petitioner/wife in her affidavit averred that she is residing at Coimbatore along with her mother and as a lady, she finds it very difficult to attend each and every hearing at Family Court, Nagapattinam by undertaking travel of more than 480 kms. Therefore, she filed this transfer petition for 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, petitioner/wife is residing at Coimbatore along with her mother and she has no one to accompany her to undertake travel such a long distance of 480 kms to attend each and every hearing at Family Court, Nagapattinam.

6. Taking into consideration of the convenience of the petitioner/wife, this Court is inclined to order the transfer petition as prayed for.

7. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and



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H.M.O.P.No.6 of 2022 pending on the file of the Family Court, Nagapattinam,

is withdrawn and transferred to the file of the Family Court, Coimbatore. No

costs. Consequently, connected civil miscellaneous petition is closed.

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Index : Yes/No

Speaking Order : Yes/No

dm

To

1.The Family Court, Nagapattinam.

2.The Family Court, Coimbatore.



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S.SOUNTHAR, J.
dm

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