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TR.CMP.No.910 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

TR.CMP.No.910 of 2022
and CMP.No.15638 of 2022

G.Anoor Sathya

... Petitioner

vs

N.Senthilkumar @ Kumar

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, pleaded to withdraw the F.C.O.P.No.01 of 2021 pending on the file of the Family Court, Erode and transfer the same to the file of the Subordinate Court, Kangayam.

For Petitioner : Mr.N.Stalin
For Respondent : Mr.C.Prakasam

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 FCOP.No.1 of 2021 from the file of Family Court, Erode, to the file of Subordinate Court, Kangayam.

2. According to the petitioner/wife, she is residing at Kaspapalayam, Kuttapalayam taluk along with her aged mother. She is also



TR.CMP.No.910 of 2022

having a school going child aged about 7 years.

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3. 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 along with her aged mother at Kaspa Palayakottai within the territorial limits of the Subordinate Court, Kangayam and she is also having school going child aged about 7 years. By taking into consideration the facts and circumstance of the case and convenience of the wife, this Court is inclined to transfer the case pending on the file of Family Court, Erode, to the file of Subordinate Court, Kangayam.

4. Accordingly, the transfer Civil Miscellaneous Petition is allowed by withdrawing the FCOP.No.1 of 2021, from the file of the Family Court, Erode, and transferring the same to the file of Subordinate Court, Kangayam. No costs. Consequently, connected miscellaneous petition is closed.

03.11.2022

Index : Yes / No
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To

- 1.The Family Court, Erode.
- 2.The Subordinate Court, Kangayam.



TR.CMP.No.910 of 2022



WEB COPY



TR.CMP.No.910 of 2022

S.SOUNTHAR, J.

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TR.CMP.No.910 of 2022
and CMP.No.15638 of 2022

03.11.2022