



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

Tr.CMP.No.814 of 2021
and
CMP.No.18898 of 2021

K.Sujitha

..Petitioner

Vs.

S.Kingston Soundararajan

..Respondent

Prayer: Transfer civil miscellaneous petition filed under Section 24 of CPC, seeking to withdraw IDOP.No.1472 of 2021 pending on the file of the Additional Family Court, Coimbatore and transfer the same to any Hon'ble Family Court at Chennai.

For Petitioner : Mrs.V.S.Usharani

For Respondent : Mr.S.Sathyannarayanan

O R D E R

The petitioner / wife seeks transfer of IDOP.No.1472 of 2021 on the file of the Additional Family Court, Coimbatore to the Family Court at Chennai. Transfer is sought for solely on the ground of convenience of the wife, who is a resident of Villivakkam near Chennai. The husband is admittedly, a resident of Coimbatore and the parties last resided only at Coimbatore. However, convenience of the wife has to be given certain priority in matters of transfer of proceedings relating to matrimonial disputes.

2.Considering the convenience of the parties, I am of the opinion that it would be convenient for both the parties, if the HMOP is transferred to a District Court having jurisdiction than a Family Court, so that the appearance of the parties for every hearing is not necessary. The husband, who is a resident of Coimbatore will not be mulcted with inconvenience of appearing before the Family Court for every hearing in person. The parties can appear through counsel before the District Court. The District Court, Tiruvallur is a closest District Court to



the residence of the wife, which is about 35 kilometres from Villivakkam.

3.Hence, IDOP.No.1472 of 2021 is withdrawn from the file of the Family Court, Coimbatore and transferred to the file of the Principal District Court, Tiruvallur to be tried and disposed of in accordance with law. The Principal District Judge, Tiruvallur is required to dispose of IDOP.No.1472 of 2021 within a period of one year from the date of receipt of papers from the Transferor Court.

4.This transfer civil miscellaneous petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

True Copy//

Sub Assistant Registrar

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To:-

1. The Family Court,
Coimbatore.
2. The Principal District Court,
Tiruvallur.

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PMK[co]
NSK 16/02/2022