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Tr.C.M.P.No.908 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

Tr.C.M.P.No.908 of 2022

and

C.M.P.No.15623 of 2022

A.Mahalakshmi

... Petitioner

vs.

E.Anand

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, praying to withdraw the case in H.M.O.P.No.170 of 2022 pending on the file of the learned Family Court, Thiruvallur and transfer the same to the file of the learned Principal Family Court at Coimbatore.

For Petitioner : Mr.S.Kingston Jerold

For Respondent : Ms.R.V.Gayathri
for Mr.P.B.Ramanujam

ORDER

The Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking transfer of petition for divorce filed by the respondent/husband in H.M.O.P.No.170 of 2022 from the file of the Family Court, Thiruvallur to the file of the Principal Family Court, Coimbatore.

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 Coimbatore. It was specifically averred by her that after marriage, both the petitioner and respondent worked in the same company at Dubai and later on, both of them got transfer to Coimbatore and settled down at No.416, Sree Daksha Ivadvi, Vadavalli, Coimbatore – 641 041. It was further averred by the petitioner that after misunderstanding, the respondent moved to some other flat in the very same complex and both of them working at very same company. She also averred that the distance between Coimbatore and Thiruvallur is 400 kms and as a lady, she finds it very difficult to undertake such a long travel to Thiruvallur to attend each and every court hearings. Therefore, she filed this transfer petition with the aforesaid prayer.

4. The learned counsel for the respondent on instructions submitted that the respondent had got transfer to Thiruvallur and presently he is working at Thiruvallur.



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

6. In the case on hand, the petitioner/wife is residing at Coimbatore and she is working at Coimbatore. It is stated that the distance between Coimbatore and Thiruvallur is 400 kms and she had expressed her difficulty in undertaking long travel to Thiruvallur to attend each and every Family Court hearings.

7. By taking into consideration the convenience of the petitioner/wife, this Court is inclined to order the above transfer petition as prayed for.

8. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.170 of 2022 pending on the file of the Family Court, Thiruvallur is withdrawn and transferred to the file of the Principal Family Court, Coimbatore. No costs. Consequently, the connected civil miscellaneous petition is closed.

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



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S.SOUNTHAR, J.
dm

To

1.The Family Court,
Thiruvallur.

2.The Principal Family Court,
Coimbatore.

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