



TR.CMP.No.915 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

TR.CMP.No.915 of 2022
and CMP.No.15691 of 2022

Bhuvaneswari

... Petitioner

VS

Gopalan

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, praying to withdraw the case in H.M.O.P.No.37 of 2021 pending on the file of the Subordinate Court, Mettur, Salem District and transfer the case to the Subordinate Court, Gobichettipalaym, Erode District.

For Petitioner : Mr.K.Gangadaran

For Respondent : Mr.K.Chandrakumar

ORDER

The petitioner/wife has come up with this transfer Civil Miscellaneous Petition, seeking transfer of petition for divorce filed by respondent/husband in HMOP.No.37 of 2021, from the file of Subordinate



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Court, Mettur, Salem District, to the file of Subordinate Court, Gobichettipalayam, Erode District.

2. According to the petitioner/wife, she is residing at Kallipatti, Gobichettipalayam, Erode District and she is having a child aged about 3 1/2 years. Therefore, she finds it very difficult to undertake a long travel from Kallipatti to Mettur to attend the Court hearings.

3. It is settled law that in matrimonial cases, the convenience of the wife shall be given preference. In the case on hand, the petitioner/wife is residing at Kallipatti, within the territorial limits of the Subordinate Court, Gobichettipalayam, and she is also having a child aged about 3 1/2 years. It may not be convenient for her to undertake a long travel to Mettur. By taking into consideration convenience of the wife, this Court is inclined to order the above transfer petition.

4. The learned counsel for the respondent made a request for referring



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the matter to mediation. It is always open to the parties to make a request

before the Court below for referring the matter to mediation.

5. Accordingly, the transfer Civil Miscellaneous Petition is allowed by withdrawing the HMOP.No.37 of 2021, from the file of Subordinate Court, Mettur, Salem District, to the file of Subordinate Court, Gobichettipalayam. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No
Internet : Yes / No
Speaking Order : Yes / No

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To

1. The Subordinate Court, Gobichettipalayam.
2. The Subordinate Court, Mettur, Salem District.

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S.SOUNTHAR, J.

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