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Tr.CMP.No.919 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2022

CORAM:

THE HONOURABLE **MR.JUSTICE S.SOUNTHAR**

Tr.CMP.No.919 of 2022

and

C.M.P.No.15773 of 2022

K.Priyadarshini

... Petitioner

Versus

M.Bharath

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, praying to withdraw the O.P.No.28 of 2021 on the file of learned Sub Court, Kangeyam and transfer the same to the learned Family Court, Coimbatore.

For Petitioner : Mr.Dhalapathy Vignesh Kumar
For Respondent : M/s.N.Manoharan

ORDER

This Transfer Civil Miscellaneous Petition has been filed seeking transfer of petition for divorce filed by the petitioner/wife in O.P.No.28 of 2021 from the file of Sub Court, Kangeyam to Family Court, Coimbatore.



Tr.CMP.No.919 of 2022

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2. According to the petitioner/wife, she is residing at Coimbatore and the respondent/husband is also residing at Coimbatore. She has expressed some difficulty in undertaking long travel to attend the Court hearing at Kangeyam.

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

4. In the case on hand, the petitioner is residing at Coimbatore and she has difficulty in undertaking travel to Kangeyam to attend the Court. It is also brought to the notice of this Court that the respondent is also residing at Coimbatore. Hence this Court is inclined to order the Tr.C.M.P. Petition.

5. The learned counsel for the petitioner made a request to this Court to fix the outer limit to dispose of the original petition, the petition for divorce filed by the respondent is of the year 2021.



Tr.CMP.No.919 of 2022

6.In the facts and circumstances, this Court is inclined to issue direction to the Family Court, Coimbatore to dispose of the Original Petition within a period of nine (9) months from the date of transfer of an Original Petition from the Court.

7.With the above direction, the Transfer Civil Miscellaneous Petition is allowed. The petition filed in O.P.No.28 of 2021 pending on the file of the Sub Court, Kangayam is withdrawn and transferred to the Family Court, Coimbatore. Consequently, connected miscellaneous petition is closed. No costs.

17.10.2022

Index : Yes / No
Speaking Order : Yes / No
rpl

To

1. The Sub Court, Kangayam.
2. The Principal Family Court, Coimbatore.



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S.SOUNTHAR , J.

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