



Tr.CMP.No.934 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

TR.CMP.No.934 of 2022

and

C.M.P.No.16016 of 2022

M.Buvaneswari

... Petitioner

Vs.

P.M.Selvaraj

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition under Section 24 of Civil Procedure Code to withdraw the H.M.O.P.No.51 of 2021 pending on the file of the Court of Hon'ble Subordinate Judge at Mettupalayam, Coimbatore District and to transfer the same to Court of Hon'ble Subordinate Judge, Katpadi, Vellore District.

For Petitioner : M/s.G.Vinodhkumar

For Respondent : M/s.J.Franklin

ORDER

This transfer petition has been filed by petitioner/wife seeking transfer of divorce petition filed by respondent/husband in H.M.O.P.No.51 of 2021 on the file



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of Subordinate Court, Mettupalayam, Coimbatore District to the Subordinate Court, Katpadi, Vellore District.

2. According to the petitioner/wife, she is residing at Vellore and working in Thiruvallur University in Vellore. She further stated that distance between vellore and Mettupalayam is nearly 400 kilometers and as a lady she finds it very difficult to under take long travel to Mettupalayam to attend Court, hearings.

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

4. In the case on hand, petitioner/wife is residing at Vellore and also working in Thiruvallur University, Vellore. By taking into consideration the convenience of wife, this Court is inclined to order the above application.

5. This Transfer Civil Miscellaneous petition is allowed. The petition filed in H.M.O.P.No.51 of 2021 on the file of the Subordinate Court, Mettupalayam, Coimbatore District is withdrawn and transferred to the Subordinate Court, Katpadi, Vellore District.



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6. The learned counsel for the respondent submitted that respondent's side evidence was already over and main H.M.O.P.No.51 of 2021 is posted for recording evidence on the petitioner's side. Considering the said submission, this Court is inclined to issue a direction to the Subordinate Court, Katpadi to dispose of the main Original Petition No.51 of 2021 within a period of six months from the date of receipt of original records from the transferring Court. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

02.11.2022

Index: Yes/ No
Speaking Order / Non-Speaking Order
jai

To

- 1.The Subordinate Court,
Mettupalayam, Coimbatore District.
- 2.The Subordinate Court,
Katpadi, Vellore District.



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S.SOUNTHAR, J.

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