



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR.C.M.P.NO.875 OF 2021

AND

C.M.P.NO.19639 OF 2021

N.Vijayalakshmi

.. Petitioner

Vs.

P.G.Navaneetha Krishnan

.. Respondent

PRAYER:

Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure, praying to withdraw HMOP.No.3 of 2020 pending on the file of the Subordinate Court, Thirumangalam and transfer the same to the Family Court, Chennai.

For Petitioner	:	Ms.U.Anunitha Ms.Anitha Selvi for
For Respondent	:	Mr.B.Raviraja

O R D E R

The wife seeks transfer of HMOP.No.3 of 2020 on the file of the Sub-Court, Thirumangalam to the Family Court, Chennai. The transfer is sought for mainly on the ground of convenience since wife is the resident of Vyasarpadi near Chennai.

2. The counsel for the husband would resist the transfer mainly on the ground that a minor child aged 4 years is in his custody and it would be very difficult for him to conduct the proceedings at Family Court, Chennai, since he would be required to appear for every hearing in person. She would also add that the Family Court, Chennai is over crowded and it will take a longer time for disposal of the main case.

3. I see considerable force in the submission of the counsel for the husband. No doubt, the convenience of the wife should be given preference. But, the convenience of the other spouse viz., husband cannot be totally ignored, while considering the



request for transfer.

4. Considering the convenience of both the parties, HMOP.No.3 of 2020 which is now pending on the file of the Sub-Court, Thirumangalam is withdrawn and transferred to the Sub-Court at Ponneri which is situate at 32 Kms from the residence of the wife. Since the proceedings are transferred to Sub-Court where the appearance of the parties for every hearing is not required, the parties will not be put to any added inconvenience because of the transfer.

5. Accordingly, this Transfer Civil Miscellaneous Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

dsa

To

1. The Subordinate Judge, Thirumangalam.
2. The Subordinate Judge, Ponneri.

+1cc to Ms.U.Anunitha, Advocate, S.R.No.6300

Tr.C.M.P.No.875 of 2021

KSM(CO)
PM/10/02/2022