



WEB COPY



Tr.C.M.P.No.953 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

Tr.C.M.P.No.953 of 2022

and

C.M.P.No.16398 of 2022

D.Suganya @ Preethi

... Petitioner

Vs.

S.Deena @ Deenadhayalan

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, praying to pass an order withdrawing the F.C.O.P.No.322 of 2022 pending on the file of Family Court, Chengalpet and to transfer the same to the file of Subordinate Court, Kanchipuram for disposal.

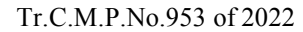
For Petitioner : Ms.A.Loganayagi
for Mr.A.Prabhakaran

For Respondent : Mr.S.Senthilvel

ORDER

The petitioner/wife seeks transfer of petition for divorce filed by the respondent/husband in F.C.O.P.No.322 of 2022 from the file of the Family Court, Chengalpet to the file of the Subordinate Court, Kanchipuram.

2. Heard the arguments of the learned counsel for the petitioner and the



3. According to the petitioner/wife, she is residing at Anaipallam Village, Uthiramerur Taluk, Kanchipuram District and she is having a girl child aged about 2 ½ years. She expressed her difficulty in undertaking travel to Chengalpet to attend each and every court hearings. Therefore, she filed this transfer petition with the aforesaid prayer.

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

5. In the case on hand, the petitioner/wife is residing at Anaipallam Village, Uthiramerur Taluk, within the territorial limits of Subordinate Court, Kanchipuram and she is having a girl child aged about 2 ½ years. She also expressed her difficulty in undertaking travel to Chengalpet to attend each and every court hearings.

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



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7. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and F.C.O.P.No.322 of 2022 pending on the file of the Family Court, Chengalpet is withdrawn and transferred to the file of the Subordinate Court, Kanchipuram. No costs. Consequently, the connected civil miscellaneous petition is closed.

8. The learned counsel for the respondent made a request before this Court to fix time limit for disposal of the original petition before the transferee Court. The e-court entry furnished by the learned counsel for the respondent would suggest that the original petition has been adjourned from time to time by Family Court, Chengalpet from April-2022 onwards for filing counter. By taking into consideration the matrimonial dispute involved, this Court is inclined to issue a direction to the Subordinate Court, Kanchipuram to dispose of F.C.O.P.No.322 of 2022 within a period of nine months from the date of receipt of original records from the transferor Court.

01.11.2022

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

- 1.The Family Court, Chengalpet.
- 2.The Subordinate Court, Kanchipuram.



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S.SOUNTHAR, J.
dm

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