



WEB COPY



Tr.C.M.P.No.958 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

Tr.C.M.P.No.958 of 2022

and

C.M.P.No.16472 of 2022

Gomathi

... Petitioner

Vs.

Sudhakar

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, 1908, praying to withdraw F.C.O.P. No.257 of 2022 on the file of the Family Court, Erode and transfer the same to the file of Family Court, Coimbatore.

For Petitioner : Mr.K.Balasubramaniam

For Respondent : No Appearance

ORDER

This Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking transfer of petition for divorce filed by the respondent/husband in F.C.O.P.No.257 of 2022, on the file of the Family Court, Erode and transfer the same to the file of the Family Court, Coimbatore.



Tr.C.M.P.No.958 of 2022

2. Though, notice is served on the respondent and his name appears in the list, there is no representation for the respondent.

3. According to the petitioner/wife, she is residing along with her parents at No.9, Vandikaranoor, Thondamuthur, Coimbatore. She is having a child aged about two years and consequently, she finds it very difficult to undertake travel to Erode to attend Family Court hearings.

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 with her parents at No.9, Vandikaranoor, Thondamuthur, Coimbatore, within the territorial limits of the Family Court, Coimbatore.

6. In view of the difficulty expressed by the petitioner/wife to undertake long travel to Erode to attend family court hearings, by taking into consideration the convenience of the wife, this Court is inclined to order the above transfer



Tr.C.M.P.No.958 of 2022

WEB COPY

7. Accordingly, the Transfer Civil Miscellaneous Petition is allowed. The petition for restitution of conjugal rights filed by the respondent/husband in H.M.O.P.No.257 of 2022, from the file of the Family Court, Erode is withdrawn and the same is transferred to the file of the Family Court, Coimbatore. No costs. Consequently, the connected civil miscellaneous petition is closed.

02.11.2022

Index : Yes/No
Speaking Order : Yes/No
rgm

To

1. The Family Court,
Erode.
2. The Family Court,
Coimbatore.



WEB COPY



Tr.C.M.P.No.958 of 2022

S.SOUNTHAR, J.

rgm

Tr.C.M.P.No.958 of 2022
and
C.M.P.No.16472 of 2022

02.11.2022