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Tr.CMP.No.970 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

Tr.CMP.No.970 of 2022

and

CMP.No.16676 of 2022

S.DeepaRathnaPriya

... Petitioner

Vs.

T.Suyambu Prasad

... Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of CPC, to withdraw the case in HMOP.No.92 of 2022 pending on the file of the learned Sub-Court, Tiruchendur and transfer the same to the Principal Family Court, Chennai.

For Petitioner : Mr.A.Arun Kumar

For Respondent : Mr.S.Kadarkarai



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ORDER

This transfer petition has been filed seeking transfer of petition for divorce filed by the respondent/husband in HMOP.No.92 of 2022 pending on the file of the learned Sub-Court, Tiruchendur to the learned Principal Family Court, Chennai.

2. According to the petitioner/wife, she is residing at Thiruvottriyur and she is having prematurely delivered one and half year old baby girl. Therefore, it is stated that it would not be convenient for the petitioner to undertake a travel to Tiruchendur to attend the hearing before the Sub- Court, Tiruchendur.

3. It is settled law that, in a case involving matrimonial disputes, the convenience of the wife should be given preference. In case on hand, the petitioner is residing at Thiruvottriyur, within the territorial limits of Principal Family Court, Chennai, and she is also



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having prematured baby of one and half year age. The facts and circumstances and balance of convenience requires the transfer of HMOP.No.92 of 2022, divorce petition, filed by the respondent/husband to the learned Principal Family Court, Chennai.

4. Accordingly, the transfer petition is allowed by withdrawing H.M.O.P.No.92 of 2022 from the file of the learned Sub-Court, Tiruchendur and transferring the same to the file of the learned Principal Family Court, Chennai. No Costs. Consequently, connected Civil Miscellaneous Petition is closed.

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Index : Yes / No
Internet : Yes / No
dna

To

- 1.The Principal Family Court, Chennai
- 2.The Sub-Court,Tiruchendur.

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