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Tr.CMP.No.1000 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 28.11.2022**

**CORAM:**

**THE HONOURABLE MR.JUSTICE S.SOUNTHAR**

**Tr.CMP.No.1000 of 2022**

**and**

**CMP.No.17134 of 2022**

Vinitha

... Petitioner

Vs.

K.M.Sathish Kumar

... Respondent

**Prayer:** Transfer Civil Miscellaneous Petition filed under Section 24 of CPC, to withdraw and transfer the HMOP.No.202 of 2022 filed before the learned Subordinate Court, Tambaram to the learned Family Court, Trichy.

For Petitioner : Mr.T.Venugopal

For Respondent : Mr.S.Natarajan  
for Mr.Bala Manimaaran



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## **ORDER**

This transfer petition is filed by the petitioner/wife seeking transfer of petition for divorce filed by the respondent/husband in HMOP.No.202 of 2022 from the file of the learned Sub-Court, Tambaram, to the file of the learned Family Court, Trichy.

2. According to the petitioner/wife, she is residing at Trichy and she is having a 4 years old child. Therefore, it is stated that it would not be convenient for the petitioner to undertake a travel to Tambaram to attend the hearing before the Subordinate Court, Tambaram.

3. It is settled law that, in a case involving matrimonial disputes, the convenience of the wife should be given preference. In the case on hand, the petitioner is residing at Trichy, within the territorial limits of Family Court, Trichy, and she is also having a 4 years old child. The facts and circumstances and balance of convenience requires the



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transfer of HMOP.No.202 of 2022 divorce petition filed by the respondent/husband to the Family Court, Trichy.

4. Accordingly, the transfer petition is allowed by withdrawing HMOP.No.202 of 2022 from the file of the Subordinate Court, Tambaram and transferring the same to the file of the learned Family Court, Trichy. No Costs. Consequently, connected Civil Miscellaneous Petition is closed.

5. At this juncture, the learned counsel for the respondent made a request that a time limit may be fixed for disposal of the divorce petition filed by him.

6. The learned counsel for the petitioner has no objection for expeditious disposal of the main OP.



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**S.SOUNTHAR , J.**

dna

7. In view of the same, this Court is inclined to issue a direction to the Court below to dispose of the case within a period of nine months from the date of receipt of original records from the transferor Court.

**28.11.2022**

Index : Yes / No

Internet : Yes / No

dna

**To**

1.The Subordinate Court, Tambaram

2.The Family Court, Trichy.

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