



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 05.01.2022
CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

Tr. CMP.No.899 of 2021
and CMP. No.20109 of 2021

S.Libi Farrell

..Petitioner

Vs.

J.John Solomon

..Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, seeking to withdraw and transfer the Original Petition for divorce in OP No.321 of 2021 from Family Court, Tirunelveli to the Principal District Court at Chengalpattu.

For Petitioner : Mr. M.Sivavarathanan

For Respondent : Mr.N.Sudharsan

O R D E R

The wife seeks transfer of OP No.321 of 2021 filed by the husband seeking divorce on the file of the Family Court, Tirunelveli to the Principal District Court at Chengalpattu.

2. It is seen from the records that the wife is the resident of Guduvancherry and husband though shown to be residing at Palayamkottai, he is actually working in Thiruvananthapuram, Kerala. The learned counsel appearing for the husband would submit that transfer to Chengalpattu, will cause inconvenience to him.

3. Convenience of the wife is of paramount importance while considering transfers of matrimonial matters, at the same time, the convenience of the husband should also be borne in mind by the Court. In the case on hand, transfer is sought for only to a Principal District Court, where the parties need not appear for every hearing. The



respondent/husband can engage a counsel to appear for him at Chengelpattu and he can appear in person only for essential hearings. Thus the inconvenience caused to the husband will be greatly reduced.

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4. In such view of the matter, the Transfer Petition is allowed, OP No.321 of 2021 on the file of the Family Court, Tirunelveli is withdrawn and transferred to the file of the Principal District Court at Chengelpattu. The Principal District Court at Chengelpattu, is required to dispose of the suit within the period of one year from the date of the receipt of the records from the transferor Court. Consequently the connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

jv

To:-

1.The Judge, Family Court,
Tirunelveli.

2.The Principal District Judge,
Chengalpattu.

+2 ccs to Mr.M.Sivavarthanan, Advocate Sr.NO. 1216

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RR(CO)

A.SK(21.01.2022)