



WEB COPY



TR.CMP.No.1014 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

TR.CMP.No.1014 of 2022
and CMP.No.17443 of 2022

Dr.R.Albertine

... Petitioner

VS

A.John Victor Xavier

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, praying to withdraw the proceedings in I.D.O.P.No.236 of 2022 from the file of the District Family Court, Cuddalore and transfer the same to the Family Court, Puducherry.

For Petitioner : Mr.R.Thiagarajan

For Respondent : No appearance

ORDER

The petitioner/wife has come up with this transfer Civil Miscellaneous Petition, seeking transfer of petition filed by the respondent/husband in I.D.O.P.No.236 of 2022, from the file of District



TR.CMP.No.1014 of 2022

Family Court, Cuddalore, to the file of Family Court, Puducherry.

WEB COPY

2. According to the petitioner/wife, she is a General Duty Medical Officer working on contractual basis in the Directorate of Health and Family Welfare services at Puducherry. It is stated by the petitioner as a lady she finds it very difficult to undertake a long travel to Cuddalore and attend the Family Court hearings. As per the address given in the affidavit of the petitioner, the respondent is not a local residence of Cuddalore and he is residing at Irupakuruchi Village near Vridhachalam, of course within the territorial limits of Cuddalore district. In paragraph 8 of the petitioner's affidavit, it is specifically mentioned that the distance between the respondent's native place and Cuddalore is 50 Kms and the distance between the Vridhachalam and Puducherry is about 80 Kms.

3. It is settled law that in matrimonial cases, the convenience of the wife shall be given preference. In the case on hand, the petitioner expressed her inconvenience for undertaking a long travel to Cuddalore as she is working as a Medical officer. By taking into consideration the convenience of



TR.CMP.No.1014 of 2022

the wife, this Court is inclined to order the above transfer petition.

WEB COPY

4. Accordingly, the transfer Civil Miscellaneous Petition is allowed by withdrawing the I.D.O.P.No.236 of 2022, from the file of District Family Court, Cuddalore, to the file of Family Court, Puducherry. No costs. Consequently, connected miscellaneous petition is closed.

07.11.2022

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Internet: Yes/No

Index: Yes/No

To

1. The District Family Court, Cuddalore.
2. The Family Court, Puducherry.



WEB COPY



TR.CMP.No.1014 of 2022

S.SOUNTHAR,J.

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TR.CMP.No.1014 of 2022
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