



Tr.C.M.P.No.1071 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

TR.C.M.P.No.1071 of 2022

and

C.M.P.No.18418 of 2022

A.Annalakshmi

... Petitioner

Vs.

R.M.Raj Kannan

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw and transfer the H.M.O.P.No.148 of 2022 pending on the file of the Sub Court, Devakottai to the Subordinate Court at Alandur.

For Petitioner : M/s.P.Archana
for M/s.R.Balachanderan

For Respondent : M/s.V.Navaneetha Krishnan

ORDER

The present transfer petition is filed by the petitioner/wife seeking transfer of petition for divorce filed by the respondent/husband in H.M.O.P.No.148 of 2022 from the Sub Court, Devakottai to the Sub Court, Alandur.



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2. According to the petitioner/wife, she is residing at Vanuvampettai near Chennai and she is having a child aged about seven years. She expressed her difficulty in undertaking long travel to Devakottai to attend the Court hearings.

3. It is settled law that in cases involving matrimonial dispute, the preference shall be given to the convenience of the petitioner/wife.

4. In the case on hand, petitioner/wife is residing at Vanuvampettai near Chennai within the territorial limits of the Sub Court, Alandur and she is having a child aged about seven years. Devakottai is nearly 400 kilometres away from Chennai, hence it may not be convenient for the petitioner/wife to undertake long travel to Devakottai and conduct her case. By taking into consideration convenience of wife, this Court is inclined to order the above transfer petition as indicated below.

5. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. The petition filed by the petitioner/wife in H.M.O.P.No.148 of 2022 on the file of the Sub Court, Devakottai is withdrawn and transferred to the Sub Court, Alandur. No costs. Consequently, connected miscellaneous petition is closed.



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6. The learned counsel for the respondent made a request to this Court to fix an outer time limit for disposal of the petition for divorce in H.M.O.P.No.148 of 2022. By taking into consideration the matter involved is matrimonial dispute, this Court is inclined to issue a direction to the Court below to dispose of the main Original Petition within a period of nine months from the date of receipt of copy of this Order.

24.11.2022

Index: Yes/ No
Speaking Order / Non-Speaking Order

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To

1.The Sub Court,
Devakottai.

2. The Sub Court,
Alandur.



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S.SOUNTHAR, J.

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