



TR.C.M.P(MD).No.92 of 2022

BEFORE THE Coimbatore BENCH OF MADRAS HIGH COURT

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DATED : 06.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

TR.C.M.P(MD).No.92 of 2022
C.M.P(MD).No.2000 of 2022

R.Indira

... Petitioner

versus

Ravichandran

... Respondent

Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C, to withdraw the case in H.M.O.P.No.1335 of 2015 on the file of the Principal Family Court, Coimbatore and transfer the same to the Family Court, Sivagangai.

For Petitioner : Mr.N.Anandakumar

For Respondent : No-appearance



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ORDER

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This Transfer Civil Miscellaneous Petition has been filed seeking transfer of the proceedings in H.M.O.P.No.1335 of 2015 from the file of the Principal Family Court, Coimbatore to the Family Court, Sivagangai.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 14.11.1996, as per the Hindu Rites and Customs. Subsequently, due to some difference of opinion, the respondent/husband has filed H.M.O.P.No. 1335 of 2015 before the Principal Family Court, Coimbatore, seeking divorce. Since the petitioner/wife is a resident of Sivagangai, she filed this present Transfer Civil Miscellaneous Petition to transfer the proceedings in H.M.O.P.No.1335 of 2015 from the file of the Principal Family Court, Coimbatore to the Family Court, Sivagangai.

3.The learned counsel appearing for the petitioner submits that the distance between Sivagangai and Coimbatore is around 300 kms and it is very difficult for the petitioner to travel such a long distance for appearing



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before the Principal Family Court, Coimbatore, for each and every hearing.

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4.Though notice was ordered to the respondent, there is no representation for the respondent.

5.This Court, being satisfied with the reasons stated in the affidavit filed in support of this petition and also taking into consideration that it is well settled law that convenience of wife is to be taken into consideration at the time of considering transfer applications as held by the Hon'ble Supreme Court in the judgment reported in **2008(9)SCC 353 (Arti Rani @ Pinki Devi and another Vs. Dharmendra Kumar Gupta)**, is inclined to allow the present petition.

6.In the light of the above, this transfer Civil Miscellaneous petition stands allowed. The proceedings in H.M.O.P.No.1335 of 2015 on the file of the Principal Family Court, Coimbatore is withdrawn and ordered to be transferred to the file of the Family Court, Sivagangai. The learned Judge, Principal Family Court, Coimbatore, is directed to transmit the entire



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case records to the Family Court, Sivagangai, forthwith and the learned Judge, Family Court, Sivagangai, who in turn shall dispose of the same as expeditiously as possible. No costs. Consequently, connected miscellaneous petitions are closed.

06.07.2022

ssb

Index : Yes / No

Internet: Yes / No

To

1.Principal Family Court, Coimbatore

2. Family Court, Sivagangai



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B.PUGALENDHI, J.

ssb

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