



TR.C.M.P(MD).No.116 of 2022

BEFORE THE MADURAI 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.116 of 2022
and
C.M.P(MD).No.2391 of 2022

Amutha Sudha

... Petitioner

versus

Venkatesan

... Respondent

Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C, to withdraw H.M.O.P.No.207 of 2021 pending on the file of the Principal Sub-Court, Pudukottai and transfer the same to the Principal Sub-Court, Thanjavur.

For Petitioner : Mr.S.Muthukrishnan

For Respondent : No-appearance



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ORDER

This Transfer Civil Miscellaneous Petition has been filed seeking transfer of the proceedings in H.M.O.P.No. 207 of 2021 from the file of the Principal Sub-Court, Pudukottai to the Principal Sub-Court, Thanjavur.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 13.06.2019. Subsequently, due to some difference of opinion, the husband filed H.M.O.P.No. 207 of 2021 before the Principal Sub-Court, Pudukottai, seeking divorce. Since the petitioner/wife is a resident of Thanjavur, she filed this present Transfer Civil Miscellaneous Petition to transfer the proceedings in H.M.O.P.No. 207 of 2021 from the file of the Principal Sub-Court, Pudukottai to the Principal Sub-Court, Thanjavur.

3.The learned counsel appearing for the petitioner submits that the distance between Thanjavur and Pudukottai is around 50 kms and it is very difficult for the petitioner to travel such a long distance for appearing



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before the Principal Sub-Court, Pudukottai, 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. 207 of 2021 on the file of the Principal Sub-Court, Pudukottai, is withdrawn and ordered to be transferred to the file of the Principal Sub-Court, Thanjavur. The learned Principal Sub Judge, Pudukottai, is directed to transmit the entire case



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records to the Principal Sub-Court, Thanjavur forthwith and the learned Principal Sub Judge, Thanjavur, who in turn shall dispose of the same as expeditiously as possible. No costs. Consequently, connected miscellaneous petition is closed.

06.07.2022

ssb

Index : Yes / No

Internet: Yes / No

To

1. The Principal Sub-Court, Pudukottai.
2. The Principal Sub-Court, Thanjavur.



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B.PUGALENDHI, J.

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