



Tr.C.M.P(MD)No.418 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2022

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THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Tr.C.M.P(MD)No.418 of 2021

and

C.M.P(MD) No.8173 of 2021

R.Saranya @ Rajalakshmi

... Petitioner

-Vs-

M.R.Chaudhry

... Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw and transfer H.M.O.P.No.4 of 2020 from the file of the Family Court, Ramanathapuram to the Family Court, Trichy.

For Petitioner : Mr.S.C.Herold Singh
For Respondent : Mr.V.Sasikumar

ORDER

This Transfer Civil Miscellaneous Petition has been filed seeking transfer of the proceedings in H.M.O.P.No.4 of 2020 from the file of the Family Court, Ramanathapuram to the Family Court, Trichy.



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2.The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 31.05.2012, as per the Hindu Rites and Customs. Subsequently, due to some difference of opinion, the husband filed H.M.O.P.No.4 of 2020 before the Family Court, Ramanathapuram, seeking divorce. Since the petitioner/wife is a resident of Trichy, she filed this present Transfer Civil Miscellaneous Petition to transfer the proceedings in H.M.O.P.No.4 of 2020 from the file of the Family Court, Ramanathapuram to the Family Court, Trichy.

3.The learned counsel appearing for the petitioner submits that the distance between Ramanathapuram and Trichy is around 350 kms and it is very difficult for the petitioner to travel such a long distance for appearing before the Family Court, Ramanathapuram for each and every hearing.

4.The learned counsel appearing for the respondent submits that he is not having any objection for allowing this petition.



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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.4 of 2020 on the file of the Family Court, Ramanathapuram is withdrawn and ordered to be transferred to the file of the Family Court, Trichy. The learned Family Judge, Ramanathapuram is directed to transmit the entire case records to the Family Court, Trichy forthwith and the learned Judge, Family Court, Trichy who in turn shall dispose of the same as expeditiously as possible. No costs. Consequently, connected miscellaneous petition is closed.

15.06.2022

Index : Yes/No
Internet : Yes/No
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To

- 1.The Family Judge, Ramanathapuram
- 2.The Family Court, Trichy
- 2.The Record Keeper, V.R.Section,
Madurai Bench of Madras High Court, Madurai.



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B.PUGALENDHI, J.

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Order made in
Tr.C.M.P(MD)No.418 of 2021

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