



WEB COPY



Tr.C.M.P.No.305 of 2023 &
C.M.P.No.6834 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2023

CORAM:

THE HON'BLE Mrs.JUSTICE **V.BHAVANI SUBBAROYAN**

**Tr.C.M.P.No.305 of 2023 and
C.M.P.No.6834 of 2023**

Mithra ... Petitioner

Vs.

Dineshkumar ... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw O.P.No.38 of 2022 on the file of learned Family Court, Madurai and transfer the same to the file of learned Family Court, Coimbatore.

For Petitioner : Mr.V.Lakshai Sajin Kumar

For Respondent : No appearance

ORDER

The present petition has been filed to withdraw O.P.No.38 of 2022 on the file of learned Family Court, Madurai and transfer the same to the file of learned Family Court, Coimbatore.

2. According to the petitioner, she is the wife and the respondent is the husband and their marriage was solemnised on 05.06.2017. On



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account of a matrimonial dispute, the respondent / husband has filed a petition for divorce before the Family Court, Madurai. Now, as the petitioner is finding it difficult to attend the court hearings at Madurai, the petitioner has come up with this petition.

3. The learned counsel for the petitioner would submit that the petitioner is having 2 ½ year old son and finding it difficult to travel from her parents house at Coimbatore to Sub Court, Madurai to attend the case. Further, the distance is more than 250 kilometers and covering 6 hours of travel to Madurai and another 6 hours back to Coimbatore by bus, therefore, seeks to allow the present petition.

4. Though notice was ordered as early as on 31.03.2023 and served to the respondent on 21.04.2023 and name is printed in the cause list, there is no representation for the petitioner either in-person or through learned counsel.

5. Heard the learned counsel for the petitioner and perused the documents placed on record.

6. Considering the facts and circumstances of the case and taking note of the fact that the Hon'ble Supreme Court while hearing a transfer



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petition concerning matrimonial dispute had held that “convenience of wife in matrimonial disputes is paramount as per established jurisprudence of the court”, this Court is inclined to allow the present Petition.

Accordingly, the present Revision is allowed and the O.P.No.38 of 2022 on the file of Family Court, Madurai is ordered to be withdrawn and the same is hereby transfered to Family Court, Coimbatore. Consequently, connected miscellaneous petition is closed. No costs.

14.09.2023

Index:Yes/No
Internet:Yes/No
Speaking / Nonspeaking order
ssd

To
1. The Family Court,
Madurai

2. The Family Court,
Coimbatore.



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V.BHAVANI SUBBAROYAN J.

ssd

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