



Tr.CMP.No. 601 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.09.2023

CORAM:

THE HONOURABLE **MRS. JUSTICE V. BHAVANI SUBBAROYAN**

Tr.C.M.P. No. 601 of 2023

and

CMP.No. 14957 of 2023

Divya

.. Petitioner

Versus

Ganesh

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw the FCO.P.No. 91 of 2023 from the file of the Family Court, Thiruvannamalai, and to transfer the same to the file of the Family Court, Chennai.

For Petitioner : Mr.K. Nagarajan

For Respondent : No Appearance

ORDER

This Transfer Civil Miscellaneous petition is filed to withdraw the FCO.P.No. 91 of 2023 from the file of the Family Court, Thiruvannamalai, and to transfer the same to the file of the Family Court, Chennai.

2. The case of the petitioner is that the marriage was solemnized



Tr.CMP.No. 601 of 2023

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between the petitioner/wife and the respondent/husband on 01.02.2021 as per the Hindu Marriage Act, 1955. After the marriage, there was some difference of opinion between them, the respondent had filed FCOP.NO. 91 of 2023 seeking divorce in Thiruvannamalai District. Now, both the parties are residing and working at Chennai. Subsequently, the petitioner has filed HMOP.No. 2620 of 2023 seeking on the ground of nullity of marriage against the respondent before the V Family Court, Chennai. The petitioner has been affected physically, mentally and she could not able to travel from Chennai to Thiruvannamalai to conduct the case for every hearings. Therefore, the petitioner has come forward with the present petition under Section 24 of CPC.

3. Having regard to the aforesaid facts and circumstances of the case, and taking note of the fact that the convenience of the wife is paramount in matrimonial disputes, this Court is inclined to transfer the proceedings. Hence, this Court is of the view that the transfer petition can be ordered on the basis of submission made by the petitioner and facts found in the affidavit filed in support of this petition. Accordingly, FCOP. No. 91 of 2023 from the file of the Family Court, Thiruvannamalai, is



Tr.CMP.No. 601 of 2023

WEB COPY

ordered to be withdrawn and the same is hereby transferred to the Family Court, Chennai.

4. Accordingly, the Transfer Civil Miscellaneous petition is allowed. Consequently, connected Miscellaneous Petition is closed. No costs.

21.09.2023

Index:Yes/No

Speaking order : Yes/No

Neutral Citation : Yes/No

MSM

To

1. The Family Court, Thiruvannamalai.
2. The Family Court, Chennai.



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Tr.CMP.No. 601 of 2023

V. BHAVANI SUBBAROYAN, J

MSM

Tr. C.M.P. No. 601 of 2023

21.09.2023