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Tr.CMP.No. 793 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.09.2023

CORAM:

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

Tr.C.M.P. No. 793 of 2023

N. Shruthi

.. Petitioner

Versus

Y. Ondiveeran @ Senthamil Thilagan

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw the HMOP. No. 903 of 2023 from the file of the Family Court, Madurai, and to transfer the same to the file of the Sub-Court, Alandur.

For Petitioner	: Mr.R. Kumaresan
For Respondent	: Mr.D. Bennington

ORDER

This Transfer Civil Miscellaneous petition is filed to withdraw the HMOP. No. 903 of 2023 from the file of the Family Court, Madurai, and to transfer the same to the file of the Sub-Court, Alandur.



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2. The case of the petitioner is that the marriage was solemnized between the petitioner/wife and the respondent/husband on 10.09.2021 as per the Hindu Marriage Act, 1955 at Raja Muthiah Hall, Madurai. After the marriage, the the respondent along with his parents demanded more dowry, cash and settlement of the property from the petitioner. Thereafter, there was some difference of opinion between them, the respondent has filed HMOP.No. 903 of 2023 on the file of Family Court, Madurai. Now, both parties are residing at Chennai. The petitioner is a doctor and she is also running a Clinic. Therefore, she is unable to travel from Chennai to Madurai District 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, HMOP. No. 903 of 2023 from the file of the Family Court, Madurai District, is ordered to be withdrawn and the same is hereby transferred to the Sub-Court, Alandur, Kancheepuram District.



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4. Accordingly, the Transfer Civil Miscellaneous petition is allowed.

Consequently, connected Miscellaneous Petition is closed. No costs.

29.09.2023

Index:Yes/No

Speaking order / Non speaking order

MSM

To

1. The Family Court, Madurai.
2. The Subordinate Court, Alandur.



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V. BHAVANI SUBBAROYAN, J

MSM

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