



WEB COPY



Tr.CMP No.811 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2024

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

TR.CMP No.811 of 2023
and C.M.P.No.19595 of 2023

P.Jamuna Natarajan

.... Petitioner

-Vs-

P.Praveen

.... Respondent

Prayer : Transfer Civil Miscellaneous Petition under Section 24 of C.P.C., to withdraw HMOP No.160 of 2023 from the file of Subordinate Court at Kancheepuram and transfer the same to the file of Subordinate Court at Bhavani.

For Petitioner : Mr.B.Mohan

For Respondent : Mr.P.Mohan Raj

ORDER

Wife is the petitioner. She is hardly 27 years old. She got married on 02.07.2020 to the respondent. It transpires that soon after marriage the matrimony hit the rocks constraining the respondent to file H.M.O.P.No.160 of 2023 on the file of the learned Subordinate Judge at Kancheepuram. The petitioner is a permanent resident of Anthiyur, Erode. The distance between Erode and Kancheepuram is about 360 Kms with no direct bus facility. Therefore, on the grounds of inconvenience to



Tr.CMP No.811 of 2023

attend the hearing before the Subordinate Judge at Kancheepuram, the petitioner has moved this Transfer Petition. The respondent has been served and has entered appearance through a counsel.

2. From the facts stated above, it is clear that the wife would be put to serious hardship if she has to travel from Erode to Kancheepuram to contest the divorce proceedings. The convenience of the wife is an important consideration while dealing with an application under Section 24.

3. Therefore, I am of the view that if the proceedings takes place in Erode it will be convenient for the wife to attend the same and contest. At the same time, for every hearing if the husband had to be present, it will prejudice him also. Therefore, if the proceedings are transferred to Bhavani, which is close to Anthiyur, no prejudice will be caused to the husband and he can contest the proceedings by engaging a counsel at Anthiyur. Accordingly, the Tr.C.M.P. is allowed and H.M.O.P.No.160 of 2023 on the file of the learned Subordinate Judge, Kancheepuram is withdrawn and it is transferred to the file of the learned Subordinate Judge at Bhavani.

05.04.2024

Index : Yes/No

Neutral Citation : Yes/No

KST



Tr.CMP No.811 of 2023

To

WEB COPY

- 1.The Subordinate Judge, Kancheepuram.
- 2.The Subordinate Judge, Bhavani.



Tr.CMP No.811 of 2023

V. LAKSHMINARAYANAN, J.
KST

TR.CMP No.811 of 2023

05.04.2024