



TR.CMP(MD).No.331 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 27.03.2024

CORAM :

THE HON'BLE MR JUSTICE G.ILANGO VAN

TR.CMP(MD).No.331 of 2023 and
CMP(MD).No.7189 of 2023

U.Priyatharshini

... Petitioner

Vs.

P.Sudharshan

... Respondent

PRAYER:- Petition filed under Section 24 C.P.C., to withdraw and transfer the case in HMOP.No.1152 of 2023 on the file of the Principal Judge, Family Court, Chennai to Family Court, Thanjavur.

For Petitioner : Mr.G. Karnan

For Respondent : No appearance

ORDER

This Transfer Civil Miscellaneous Petition is filed seeking to withdraw and transfer the case in HMOP.No.1152 of 2023 on the file of the Principal Judge, Family Court, Chennai to Family Court, Thanjavur.

2. The petitioner herein is the wife and the respondent is the

husband. The marriage between the petitioner and the respondent was



TR.CMP(MD).No.331 of 2023

solemnized on 10.04.2019 as per Hindu Rites and customs. One child was born through the wedlock. Due to the matrimonial dispute, the petitioner left the matrimonial home along with her minor child. Thereafter, the respondent filed HMOP.No.1152 of 2023, before the Principal Judge, Family Court, Chennai seeking divorce.

3. Now, the petitioner is residing at Thanjavur along with her age old parents with minor child. The distance between Chennai and Thanjavur is approximately 300 kilometers and it is very difficult for the petitioner to travel each and every hearing to attend HMOP.No.1152 of 2023 on the file of the Principal Judge, Family Court, Chennai. In the above circumstances, she filed the present Transfer Civil Miscellaneous Petition to withdraw and transfer the HMOP.No.1152 of 2023 pending on the file of the Principal Judge, Family Court, Chennai to Family Court, Thanjavur.

4. Even though the notice was served upon the respondent, he has not chosen to appear before this Court either in person or through Advocate. So after hearing the learned Counsel for the petitioner, this order is passed.



TR.CMP(MD).No.331 of 2023

5. It is well settled law that whenever, the transfer petition is filed in matrimonial disputes, the convenience of the wife shall be given preference. Therefore, I am of the view that the petition filed by the wife is liable to be allowed.

6. Accordingly, the Transfer CMP is allowed and HMOP.No. 1152 of 2023 pending on the file of the Principal Judge, Family Court, Chennai is ordered to be withdrawn and transferred to the file of Family Court, Thanjavur. The Principal Judge, Family Court, Chennai is directed to transmit the entire records pertaining to the case in HMOP.No.1152 of 2023 to the transferee Court, within a week from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is also closed.

27.03.2024

Internet : Yes / No

Index : Yes / No

trp



TR.CMP(MD).No.331 of 2023

WEB COPY

To

1. The Principal Judge, Family Court, Chennai.
2. The Family Court, Thanjavur.



WEB COPY



TR.CMP(MD).No.331 of 2023

G.ILANGOVAAN,J.

trp

TR.CMP(MD).No.331 of 2023 and
CMP(MD).No.7189 of 2023

27.03.2024