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Tr.C.M.P.No.443 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2025

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

Tr.C.M.P.No.443 of 2024 & C.M.P.No.9167 of 2024

F.Mercy Flora .. Petitioner

Vs

A.Raj @ Christopher Raj .. Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the C.P.C., to withdraw the case in I.D.O.P.No.329 of 2023 pending on the file of the learned Principal District Court, Tiruvallur and transfer the same to the file of the learned Additional District Court at Arni, Tiruvannamalai District.

For Petitioner : Mr.P.G.Thiyagu
For Respondent : Mr.S.Francis

ORDER

I heard both sides. I have gone through the affidavit.

2.This transfer petition is at the instance of the wife. She seeks withdrawal of I.D.O.P.No.329 of 2023 from the file of the learned Principal District Court, Tiruvallur and transfer the same to the file of the learned Additional District Court at Arni, Tiruvannamalai District.

3.The petitioner married the respondent on 01.12.2021 under christian



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rites and customs. Due to disputes and differences, the parties have separated. The respondent/husband initiated proceedings in I.D.O.P.No.329 of 2023 before the learned Principal District Court, Tiruvallur seeking for a declaration that the marriage is a nullity. Pleading that the wife is a permanent resident of Sethupattu Taluk, Tiruvannamalai District and unable to travel from Tiruvannamalai to Tiruvallur, she has moved this transfer petition.

4.This Court and the Supreme Court have consistently held in matters of transfer, the convenience of the wife should be given a superior consideration than that of the husband. As the distance between Tiruvannamalai and Tiruvallur is considerable, I am inclined to accept the transfer.

5.Accordingly, I.D.O.P.No.329 of 2023 is withdrawn from the file of the learned Principal District Court, Tiruvallur and transferred to the file of the learned Additional District Court at Arni, Tiruvannamalai District.

6. The Transfer Civil Miscellaneous Petition is ordered on the above terms. No costs. Consequently, connected miscellaneous petition is closed.

24.01.2025

Index:Yes/No



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Neutral Citation:Yes/No
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To

- 1.The Principal District Court, Tiruvallur.
- 2.The Additional District Court at Arni, Tiruvannamalai District.



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V. LAKSHMINARAYANAN,J.

KST

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