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Tr.C.M.P.No.1071 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.1071 of 2024
& C.M.P.No.23640 of 2024

P.Revathi @ Ruth Hepsifa

.. Petitioner

Vs

E.Daniel Raj

.. Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the C.P.C., to withdraw and transfer the Divorce Petition in I.D.O.P.No.333 of 2024 on the file of Family Court, Chengalpattu to Family Court, Dindigul.

For Petitioner : Mr.S.Elango
For Respondent : No Appearance

ORDER

This transfer petition is at the instance of the wife. She seeks withdrawal of I.D.O.P.No.333 of 2024 from the file of the learned Family Court, Chengalpattu and transfer the same to the file of the learned Family Court, Dindigul.



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2. I heard Mr.S.Elango for the transfer petitioner. I have gone through the affidavit.

3. Though notice has been served on the respondent and his name is printed in the cause list, there is no representation for him either in person or through counsel. Since the service has been completed, I took up the transfer petition for disposal.

4. The petitioner married the respondent on 23.02.2022. Due to disputes and differences, the parties have separated. The respondent/husband initiated proceedings in I.D.O.P.No.333 of 2024 for divorce before the learned Family Court, Chengalpattu. Pleading that the wife is residing in Dindigul and unable to travel from Dindigul to Chengalpattu, she has moved this transfer petition.

5. 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 Dindigul and Chengalpattu is considerable, I am inclined to accept the transfer.



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6. Accordingly, I.D.O.P.No.333 of 2024 is withdrawn from the file of the learned Family Court, Chengalpattu and transferred to the file of the learned Family Court, Dindigul.

7. The Family Court need not insist upon the appearance of the husband on all hearing dates. For non-essential and procedural hearings, the husband will be represented by a counsel. He shall however present himself before the Court when the Trial Court passes a specific order for his appearance or when his presence is indispensable.

8. 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

Speaking order/Non-speaking order

Neutral Citation: Yes/No

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V. LAKSHMINARAYANAN,J.

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To

- 1.The Family Court, Chengalpattu.
- 2.The Family Court, Dindigul.

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