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Tr.C.M.P.No.1344 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.1344 of 2024
and C.M.P.No.29018 of 2024

Melba

.. Petitioner

Vs.

Anton Santosh Johnson

.. Respondent

Prayer: This Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, praying to withdraw the IDOP No.3220 of 2024 from the file of the III Additional Family Court, Chennai and transfer the same to the Principal District Court, Krishnagiri.

For Petitioner : Mr.J.Pradeep
For Respondent : Mr.A.Praveen

ORDER

This transfer petition is at the instance of the wife. She seeks withdrawal of IDOP No.3220 of 2024 from the file of the III Additional Family Court, Chennai, and transfer the same to the file of the Principal District Court, Krishnagiri.



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

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3.The petitioner married the respondent on 07.12.2019. From the wedlock, they were blessed with a child. Due to disputes and differences, the parties have separated. The respondent/husband initiated proceedings in IDOP.No.3220 of 2024 for restitution of conjugal rights before the III Additional Family Court, Chennai. Pleading that the wife is residing in Hosur, Krishnagiri District and unable to travel from Krishnagiri District to Chennai, 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 Krishnagiri and Chennai is considerable and since it will be difficult for the wife to leave the child behind and travel to attend the Court, I am inclined to accept the transfer.

5.Accordingly, IDOP No.3220 of 2024 is withdrawn from the file of the III Additional Family Court, Chennai, and transferred to the file of the



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Principal District Court, Krishnagiri.

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6.With the above observations, the Transfer Petition is ordered.

Consequently, connected miscellaneous petition is closed. No costs.

24.01.2025

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

- 1.The III Additional Family Court, Chennai.
- 2.The Principal District Court, Krishnagiri.

V.LAKSHMINARAYANAN, J.

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