



WEB COPY

Tr.C.M.P(MD)No.382 of 2



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2023

CORAM

**THE HONOURABLE MRS JUSTICE K. GOVINDARAJAN
THILAKAVADI**

Tr.C.M.P(MD)No.382 of 2023

and

C.M.P.(MD).No.8037 of 2023

P.Keerthika

... Petitioner/ Respondent

Vs.

R.Praveen Kumar

... Respondent/Petitioner

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw H.M.O.P.No.71 of 2023 on the file of the learned Principal Sub-Court, Srivilliputhur and transfer the same to the file of the Family Court, Madurai, Madurai District.

For Petitioner
For Respondent

:Mr.K.Dinesh
:Mr.Y.Prakash

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw H.M.O.P.No.71 of 2023 on the file of the learned Principal Sub-Court, Srivilliputhur and transfer the same to the file of the Family Court, Madurai, Madurai District.



2.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent and also perused the materials available on record.

3.The learned counsel appearing for the petitioner/wife would submit that the marriage between the petitioner and the respondent was solemnized on 29.04.2021 and out of their wedlock, they blessed with a female child. Thereafter, the respondent/husband, due to ill-advice of his parents, harassed the petitioner for getting additional dowry. Therefore, the petitioner went to her parental home at Madurai. In such circumstances, the respondent had filed a petition in H.M.O.P.No.71 of 2023 before the Principal Sub-Court, Srivilliputhur, for divorce. Now, the petitioner is residing at Madurai and the distance between Madurai to Srivilliputhur is approximately 80 kms. Therefore, it is very difficult for the petitioner to travel from Madurai to Srivilliputhur and hence, she prays for transferring the case from Srivilliputhur to Madurai.

4.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 transfer as sought for by the petitioner seems to be reasonable and the same claim has to be accepted.



5. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and the H.M.O.P.No.71 of 2021 pending on the file of the Principal Sub-Court, Srivilliputhur, is ordered to be withdrawn and transferred to the file of the Sub-Court, Madurai. The learned Principal Sub-Court, Srivilliputhur, is directed to transmit the entire records pertaining to the case in H.M.O.P.No.71 of 2021, to the transferee Court, within a week from the date of receipt of a copy of this order, if the same is not yet disposed of. The Registry is also directed to send back the papers that are pending before the Registry if any. No costs. Consequently, the connected miscellaneous petition is closed.

05.09.2023

NCC:Yes/No

Index:Yes/No

Internet:Yes/No

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To

1.The Principal Sub-Court,
Srivilliputhur.

2.The Sub-Court,
Madurai.

3.The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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K.GOVINDARAJAN THILAKAVADI, J.

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