



Tr.CMP.(MD)No.320 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 23.09.2024

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THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.320 of 2024

and

C.M.P.(MD)No.7165 of 2024

M.Muthu Muneeswari

.. Petitioner

Vs.

S.Murugesan

.. Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in H.M.O.P.No. 119 of 2024 on the file of the Family Court, Dindigul and transfer the same to the file of the Sub Court, Aruppukottai, Virudhunagar District.

For Petitioner : Mr.M.Jegadeesh Pandian

For Respondent : Mr.K.M.Karunakaran

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.119 of 2024 on the file of the



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Family Court, Dindigul and transfer the same to the file of the Sub Court, Aruppukottai, Virudhunagar District.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 29.08.2014 at Sri Meenakshi Sundareswarar Temple, Kamuthi as per the Hindu Rites and Customs. Out of the wedlock, no child was born.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has filed the proceeding in H.M.O.P.No.119 of 2024 on the file of the Family Court, Dindigul seeking divorce.

4. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

5. The learned counsel for the petitioner would submit that the petitioner/wife is now residing at Aruppukottai Taluk, Virudhunagar District. The distance between Aruppukottai and Dindigul is around 240 Kms to and fro, and the petitioner/wife, being a lady, finds it very difficult to travel such a long distance for attending every Court hearing. Hence, she



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seeks transfer of proceeding from the file of the Family Court, Dindigul to the file of the Sub Court, Aruppukottai.

6. The learned counsel for the respondent would submit that the proceeding in H.M.O.P.No.119 of 2024 may be transferred to any of the Sub Court at Madurai or to any other Court between Dindigul and Aruppukottai.

7. It is well settled proposition of law that whenever the transfer petition is filed in matrimonial disputes, the convenience of the wife should be predominantly looked into, and the wife's convenience shall be given preference.

8. Considering the overall facts and circumstances of the case, and also considering the convenience of the wife, this Court is inclined to allow this petition.

9. The learned Judge, Family Court, Dindigul is directed to transmit the entire records, pertaining to the case in H.M.O.P.No.119 of 2024, to the file of the Sub Court, Aruppukottai, Virudhunagar District within a period



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of two weeks from the date of receipt of a copy of this order, and on receipt of such records, the learned Judge, Sub Court, Aruppukottai, Virudhunagar District is directed to take the case on file and dispose of the same as expeditiously as possible in accordance with law.

10. Accordingly, this Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

23.09.2024

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No



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P. VADAMALAI, J.

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To

- 1.The learned Judge, Family Court,
Dindigul
- 2.The learned Judge, Sub Court,
Aruppukottai, Virudhunagar District

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and
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