



Tr.CMP.(MD)No.410 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.10.2024

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THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.410 of 2024

and

C.M.P.(MD)No.8922 of 2024

Pooja Nanthini

.. Petitioner

Vs.

Sathishkumar

.. 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.74 of 2024 on the file of the Sub Court, Attur and transfer the same to the file of the Family Court, Trichy.

For Petitioner : Mr.T.Leninkumar

For Respondent : Mr.R.Ilayaraja



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ORDER

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The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.74 of 2024 on the file of the Sub Court, Attur and transfer the same to the file of the Family Court, Trichy.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 22.05.2023 at Narasimma Perumal Temple, Thamampatti as per the Hindu Rites and Customs.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding in H.M.O.P.No.74 of 2024 on the file of the Sub Court, Attur seeking divorce.

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

5. The learned counsel for the petitioner would submit that the petitioner/wife is now residing at Fathimapuram, North Kattur, Trichy District. The distance between the petitioner's place of residence and Attur



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is around 250 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 seeks transfer of proceeding in H.M.O.P.No.74 of 2024 from the file of the Sub Court, Attur to the file of the Family Court, Trichy.

6. The learned counsel for the respondent would submit that his client has no objection for the transfer of the proceeding in H.M.O.P.No.74 of 2024 from the file of the Sub Court, Attur to the file of the Family Court, Trichy.

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 considering the fact that the respondent/husband has no objection for the transfer of proceeding, and also considering the convenience of the wife, this Court is inclined to allow this petition.



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9. The learned Judge, Sub Court, Attur is directed to transmit the entire records, pertaining to the case in H.M.O.P.No.74 of 2024, to the file of the Family Court, Trichy within a period of two weeks from the date of receipt of a copy of this order, and on receipt of such records, the learned Judge, Family Court, Trichy 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.

01.10.2024

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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 Sub Court,
Attur

2.The Family Court,
Trichy

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and
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