



Tr.CMP.(MD)No.556 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.10.2024

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THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.556 of 2024

and

C.M.P.(MD)No.13261 of 2024

Sahaya Anusha

.. Petitioner

Vs.

Edwin Eranius

.. Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in I.D.O.P.No.214 of 2024 on the file of the District Court, Tiruchirappalli and transfer the same to the file of the Principal District Court, Sivagangai.

For Petitioner : Mr.D.Venkatesh

For Respondent : No Appearance

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in I.D.O.P.No.214 of 2024 on the file of the



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District Court, Tiruchirappalli and transfer the same to the file of the Principal District Court, Sivagangai.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 11.02.2024 at Tiruchirappalli District as per the Christian Rites and Customs.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has filed the proceeding in I.D.O.P.No.214 of 2024 on the file of the District Court, Tiruchirappalli seeking dissolution of marriage.

4. The name of the respondent has been printed in the cause list. Despite the name has been printed in the cause list, the respondent/husband has neither entered appearance through a counsel nor in-person to oppose this transfer petition.

5. Heard the learned counsel appearing for the petitioner.



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6. The learned counsel for the petitioner would submit that the petitioner/wife is now residing at Karaikudi Taluk, Sivagangai District under the care of her parents. The distance between the petitioner's place of residence and Tiruchirappalli is around 180 Kms, 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 I.D.O.P.No.214 of 2024 from the file of the District Court, Tiruchirappalli to the file of the Principal District Court, Sivagangai.

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 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, District Court, Tiruchirappalli is directed to transmit the entire records, pertaining to the case in I.D.O.P.No.214 of 2024



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to the file of the Principal District Court, Sivagangai within a period of three weeks from the date of receipt of a copy of this order, and on receipt of such records, the learned Judge, Principal District Court, Sivagangai 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.

25.10.2024

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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 District Court,
Tiruchirappalli

2.The Principal District Court,
Sivagangai

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