



Tr.CMP.(MD)No.559 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.10.2024

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THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.559 of 2024

and

C.M.P.(MD)No.13318 of 2024

Suryakala @ Sudarsana

.. Petitioner

Vs.

Nethaji

.. 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. 219 of 2024 on the file of the Family Court, Sivagangai and transfer the same to the file of the Family Court, Madurai.

For Petitioner : Mr.S.M.Arun Kumaar

For Respondent : Mr.A.Arputharaj



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ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.219 of 2024 on the file of the Family Court, Sivagangai and transfer the same to the file of the Family Court, Madurai.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 22.06.2008 at Raja Muthaiah Mahal, Madurai. Out of the wedlock, a male child, named Ramaprabhu Nachiappan, was born.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding in H.M.O.P.No.219 of 2024 on the file of the Family Court, Sivagangai seeking divorce.

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



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5. The learned counsel for the petitioner would submit that the petitioner/wife is now residing along with her child at Anna Nagar, Madurai. The distance between Madurai and Sivagangai is around 47 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 H.M.O.P.No.219 of 2024 from the file of the Family Court, Sivagangai to the file of the Family Court, Madurai.

6. The learned counsel for the respondent has raised only formal objection to this petition.

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. The learned Judge, Family Court, Sivagangai is directed to transmit the entire records, pertaining to the case in H.M.O.P.No.219 of 2024, to the file of the Family Court, Madurai within a period of three weeks from the date of receipt of a copy of this order, and on receipt of such



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records, the learned Judge, Family Court, Madurai is directed to take the case on file and dispose of the same as expeditiously as possible in accordance with law.

9. 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 Family Court,
Sivagangai

2.The Family Court,
Madurai

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and
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