



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **20.06.2025**

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

TR CMP. No.156 of 2025

and CMP. No.3133 of 2025

B.Nithya

Petitioner(s)

Vs

R.Ravi Parthiban

Respondent(s)

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw the petition in HMOP. No.445 of 2024 on the file of the Sub Court, Poonamallee and transfer the same to the file of the Family Court, Tiruchirappalli.

For Petitioner : Mr.Thamaraiselvan

For Respondent : Mr.S.Mohamed Ansar

ORDER

The petitioner is the wife who is facing dissolution of marriage proceedings in HMOP No.445 of 2024 before the Sub Court, Poonamallee filed by the respondent/husband. The petitioner has come forward the present transfer request citing inconvenience to travel all the away and also on the ground that she has to take care of two tender minor children.



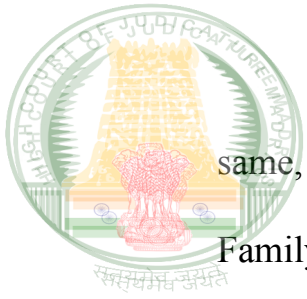
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2. The learned counsel for the respondent/husband states that the wife has stated distance alone as the only reason for seeking transfer and that the petitioner/wife is frequently visiting Chennai to attend her personal properties and hence, there has been no inconvenience the petitioner to attend the proceedings before the Sub Court at Poonamallee.

3. I have carefully considered the submissions advanced by the learned counsel on either side.

4. Admittedly, the petitioner is a resident of Trichirappalli District and it is not in dispute that two minor children are in her custody. As repeatedly held by the Hon'ble Supreme Court as well as this Court, the paramount consideration in such matters requesting transfer should be the convenience of the wife. Therefore, accepting the reasons that have been assigned for transfer, I am inclined to entertain the transfer petition.

5. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and the case in HMOP. No.445 of 2024 is withdrawn from the file of the Sub Court, Poonamallee and transferred to the file of the Family Court, Trichirappalli. At the same time, the interest of the respondent/husband should also be taken care of and considering the



same, while allowing the transfer petition, directions are issued to the Family Court, Trichirappalli to not insist on the physical presence of the respondent/husband on all hearing dates, except where it is absolutely necessary for the purpose of his examination. There shall be no order as to costs. Connected Civil Miscellaneous Petition is closed.

20.06.2025

Speaking/Non-speaking : Yes/No

Index : Yes / No

rkp

To

1.The Sub Judge, Poonamallee.

2.The Judge, Family Court, Tirchirappalli.



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P.B.BALAJI.J.,

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