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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2025

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

TR CMP Nos. 445 & 450 of 2025

and C.M.P.Nos.10332 & 10374 of 2025

In both Tr.CMPs.

Vidhya
W/o.Sivashankar,
Door No.2/30, North Street,
L.I.C. Mani Veedu,
Nagulakavundanpatty,
Mottanuthu, Andipatty Taluk,
Theni District- 625 512.

..Petitioner

Vs

Sivashankar,
S/o.Rajagopal,
Door No.2/433, Murugan Nagar,
Malumichampatti,
Coimbatore District- 641 050.

..Respondent

Prayer in Tr.CMP.No.445 of 2025 : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, praying to withdraw GWOP No.21 of 2025 pending on the file of the Principal District Court at Coimbatore, and transfer the same to the file of the Family Court at Theni.

Prayer in Tr.CMP.No.450 of 2025 : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, praying to withdraw H.M.O.P.No.371 of 2024 pending on the file of the II Additional Subordinate



Court, Coimbatore, and transfer the same to the file of the Family Court at Theni.

WEB COPY In both TrCMPs.

For Petitioner: Mr. V. Soundirapandian

For Respondent: Mr. R.Babu for Mr. B.Kumarasamy

COMMON ORDER

Both these Transfer Civil Miscellaneous Petitions are filed by the petitioner/wife seeking transfer of G.W.O.P.No.21 of 2025 filed by the respondent/husband for appointment of a guardian on the file of the Principal District Court, Coimbatore and H.M.O.P.No.371 of 2024 filed for restitution of conjugal rights by the respondent/husband on the file of the II Additional Subordinate Court, Coimbatore to the file of the Family Court, Theni for joint trial.

2. It is the case of the petitioner that she is residing at Nagulakavundanpatty, Andipatty Taluk, Theni District. She further states that Coimbatore is nearly 200 kilometers away from her native place and therefore, she finds it very difficult to undertake such a long travel to Coimbatore to attend



each and every Court hearings. She also expressed her difficulty in meeting the travel expenses and other incidental expenses.

3. Learned counsel for the respondent/husband vehemently opposed the transfer petitions.

4. It is settled law that in cases involving matrimonial dispute, the preference shall be given to the convenience of the petitioner/wife.

5. In the case on hand, the petitioner is residing at Theni, which is nearly 200 kilometers away from the Coimbatore. She also expressed her difficulty to meet out the travel expenses and incidental expenses to attend each and every Court hearings in Coimbatore.

6. By taking into consideration the convenience of the petitioner/wife, this Court is inclined to order the above transfer petitions as prayed for.

7. Accordingly, both the Transfer Civil Miscellaneous Petitions are allowed. G.W.O.P.No.21 of 2025 pending on the file of the Principal District Court, Coimbatore is withdrawn and transferred to the file of the Family Court,



Theni and H.M.O.P.No.371 of 2024 pending on the file of the II Additional Subordinate Court, Coimbatore, is withdrawn and transferred to the file of the Family Court, Theni and both the cases are ordered to be tried jointly. No costs. Consequently, the connected civil miscellaneous petitions are closed.

27-10-2025

Index :Yes / No

Internet :Yes / No

Neutral Citation :Yes / No

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To

1. II Additional Subordinate Court, Coimbatore.
2. Principal District Court, Coimbatore.
3. The Family Court, Theni.



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TR CMP Nos. 445 & 450 of 2



S.SOUNTHAR, J.

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