



Tr CMP.No.784 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2025

CORAM

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr CMP.No.784 of 2024 &
CMP.No.17140 of 2024

A.Selvi : Petitioner

versus

G.Karthikeyan : Respondent

Prayer: Petition filed under Section 24 of the Code of Civil Procedure to withdraw the HMOP.No.108 of 2017 pending before the learned Subordinate Judge, Sangagiri and transfer the same to the learned Subordinate Judge, Gobichettipalayam.

For Petitioner : Mr.J.Ranjith kumar

For Respondent : Mr.B.Jawahar

ORDER

This transfer petition is at the instance of the wife. She seeks withdrawal of HMOP.No.108 of 2017 from the file of the Sub Court, Sangagiri and transfer the same to the file of the Sub Court,

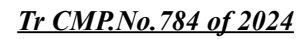


Gobichettipalayam.

2. I heard Mr.J.Ranjith Kumar and Mr.B.Jawahar for the respective parties. I have gone through the affidavit.

3. The petitioner married the respondent on 12.12.2013. From the wedlock, they were blessed with a child. Due to disputes and differences, the parties have separated. The respondent/husband initiated proceedings in H.M.O.P.No.108 of 2017 for divorce before the learned Subordinate Judge, Sangagiri. Pleading that she is residing in Gobichettipalayam and unable to travel from Gobichettipalayam to Sangagiri, the wife has moved this transfer petition.

4. The Parliament, while amending the Hindu Marriage Act, has incorporated Section 19(iii), permitting a wife to initiate a proceeding in a place where she is residing. This is an indication to the Court that the convenience of the wife has to be given precedence by the Court. In line with this Parliamentary amendment, this Court and the Supreme Court have





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2.The Subordinate Judge, Sub Court, Gobichettipalayam



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V.LAKSHMINARAYANAN, J.

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