



Tr.CMP.(MD)No.47 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**DATED : 25.03.2025**

**CORAM**

**THE HON'BLE MR JUSTICE P. VADAMALAI**

**Tr.CMP.(MD)No.47 of 2025**

**and**

**C.M.P.(MD)No.1364 of 2025**

Maruvloor Arasi

.. Petitioner

**Vs.**

Manickavasagam

.. 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.716 of 2024 on the file of the Family Court, Karur and transfer the same to the file of the Sub Court, Pollachi.

For Petitioner : Mr.M.Prabu

For Respondent : Mr.K.Kharikharadas

**ORDER**

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.716 of 2024 on the file of the Family Court, Karur and transfer the same to the file of the Sub Court, Pollachi.



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**WEB COPY** 2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 10.12.2021 at Sri Vinayagar, Sri Subramani Temple, Tharagampatti, Keela Paguthi, Kadavur Taluk, Karur District as per the Hindu Rites and Customs. Out of wedlock, no child 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.716 of 2024 on the file of the Family Court, Karur seeking restitution of conjugal rights.

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

5. The learned counsel for the petitioner submits that the petitioner/wife is residing at Valparai Taluk, Coimbatore District under the care of her parents. The distance between Valparai and Karur is around 440 Kms to and fro, and the petitioner/wife, being a lady, finds it very difficult to travel such a long distance for attending every Court hearing. Hence, she



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seeks transfer of proceeding in H.M.O.P.No.716 of 2024 from the file of the

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Family Court, Karur to the file of the Sub Court, Pollachi.

6. The learned counsel for the respondent has raised strong objection to allow this petition. Further, he requests this Court that the proceeding in H.M.O.P.No.716 of 2024 may be transferred from the file of the Family Court, Karur to the file of Sub Court, Kangeyam or to any other Court between Karur and Coimbatore.

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 overall facts and circumstances of the case, and considering the convenience of the wife, and also taking into account of the fact that since the transferee Court is a Sub Court, the personal appearance of both the parties is necessary only for indispensable hearings and not for every hearing, this Court is inclined to allow this petition.



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**WEB COPY** 9. The learned Judge, Family Court, Karur is directed to transmit the entire records pertaining to the case, in H.M.O.P.No.716 of 2024, to the file of the Sub Court, Pollachi 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, Sub Court, Pollachi 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.

**25.03.2025**

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,  
Karur.

2.The Sub Court,  
Pollachi.

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**and**

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