

Tr.CMP.(MD)No.22 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 24.02.2025

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.22 of 2025

and

C.M.P.(MD)No.481 of 2025

P.Keerthana

.. Petitioner

Vs.

V.Sudhan

.. Respondent

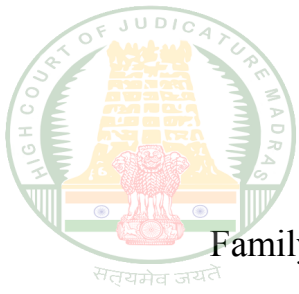
Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in H.M.O.P. No.713 of 2024 on the file of the Family Court, Trichy and transfer the same to the file of the Family Court, Cuddalore.

For Petitioner : Mr.H.Jahir Hussain

For Respondent : No Appearance

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.713 of 2024 on the file of the



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Family Court, Trichy and transfer the same to the file of the Family Court,

WEB COPY Cuddalore.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 22.11.2013 at Kalaignar Arivalayam, Trichy as per the Hindu Rites and Customs. Out of wedlock, two male children were 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.713 of 2024 on the file of the Family Court, Trichy seeking divorce. The petitioner/wife has also initiated proceedings in M.C.No.18 of 2023 and G.O.P.No.230 of 2023 pending on the file of the Family Court, Cuddalore seeking maintenance and custody of her 1st son.

4. The name of the respondent has been printed in the cause list. Despite the name has been printed in the cause list, the respondent/husband has neither entered appearance through a counsel nor in-person to oppose this transfer petition.



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WEB COPY 5. Heard the learned counsel appearing for the petitioner.

6. The learned counsel for the petitioner would submit that the petitioner/wife is now residing at Cuddalore under the care of her parents. The distance between Cuddalore and Trichy is around 400 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 seeks transfer of proceeding in H.M.O.P.No.713 of 2024 from the file of the Family Court, Trichy to the file of the Family Court, Cuddalore.

7. It is well settled proposition of law that whenever 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 facts and circumstances of the case, and also considering the convenience of the wife, this Court is inclined to allow this petition.



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WEB COPY 9. The learned Judge, Family Court, Trichy is directed to transmit the entire records pertaining to the case in H.M.O.P.No.713 of 2024 to the file of the Family Court, Cuddalore 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, Family Court, Cuddalore 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.

24.02.2025

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,
Trichy.
- 2.The Family Court,
Cuddalore.

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