

Tr.C.M.P(MD)No.41 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **02.04.2025**

CORAM

THE HON'BLE MR.JUSTICE P.VADAMALAI

Tr.C.M.P(MD)No.41 of 2025

and

C.M.P(MD)No.1190 of 2025

V.Sasikala @ Nandhini

... Petitioner

Vs.

N.Ramakrishnan

... Respondent

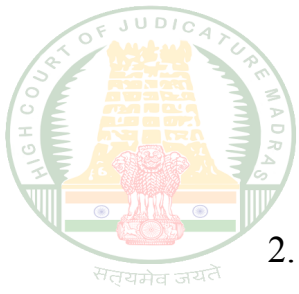
PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case in H.M.O.P.No.423 of 2024 on the file of the Family Court, Tiruchirappalli and transfer to the Family Court, Salem District.

For Petitioner : Mr.A.Sathasivam

For Respondent : Mr.N.Sudhagar Nagaraj

ORDER

This Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.423 of 2024 from the file of the Family Court, Tiruchirappalli and transfer the same to the file of the Family Court, Salem District.



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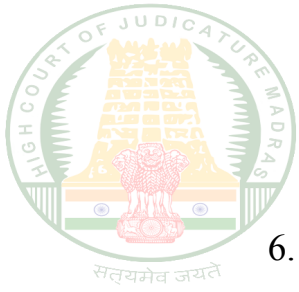
2. The petitioner is the wife and the respondent is the husband.

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The marriage between the petitioner and the respondent was solemnized on 26.11.2020 at Kamakodi Mandabam, Salem, as per Hindu rites and customs. Out of wedlock, they have no child. Due to misunderstanding between the parties, they have separated and the respondent/husband has filed H.M.O.P.No.423 of 2024 before the Family Court, Tiruchirappalli, seeking divorce.

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

4. The learned counsel for the petitioner submitted that the petitioner is now residing at Salem. The distance between the petitioner's place of residence and Trichy is more than 400 kms up and down and the petitioner/wife, being a lady, finds it very difficult to travel such a long distance to attend every Court hearing at Trichy. Hence, she seeks to transfer the case as prayed for.

5. The learned counsel for the respondent has raised only a formal objection to allow this petition.

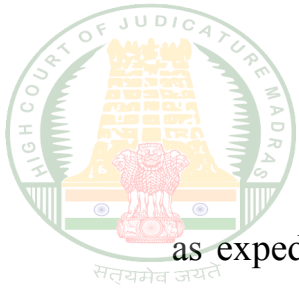


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6. Submissions of both sides considered. The respondent and the petitioner are husband and wife. Due to misunderstanding, they are living separately and in such circumstances, the respondent filed the petition seeking divorce before the Family Court, Tiruchirappalli. 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. Considering the facts and circumstances of the case and also considering the convenience of the petitioner/wife, this Court is inclined to allow this petition.

7. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.423 of 2024 pending on the file of the Family Court, Tiruchirappali, is hereby withdrawn and transferred to the file of the Family Court, Salem.

8. The learned Judge, Family Court, Tiruchirappali, is directed to transmit the entire records pertaining to the case in H.M.O.P.No.423 of 2024 to the file of the Family Court, Salem, within a period of two weeks from the date of receipt of a copy of this order and on receipt of such records, the learned Judge, Family Court, Salem, is directed to take the case on file and dispose of the same



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as expeditiously as possible in accordance with law. No costs. Consequently,
the connected Civil Miscellaneous Petition is closed.

02.04.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
VSD

To

1. The Family Court, Tiruchirappali.
2. The Family Court, Salem.
3. The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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P.VADAMALAI, J.

VSD

Order made in
Tr.C.M.P(MD)No.41 of 2025
and
C.M.P(MD)No.1190 of 2025

02.04.2025