



*Tr.CMP.(MD)No.65 of 2025*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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**DATED : 03.03.2025**

CORAM

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

**Tr.CMP.(MD)No.65 of 2025**

**and**

**C.M.P.(MD)No.1793 of 2025**

Murugeshwari

.. Petitioner

Vs.

Rajeshkanna

.. 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.70 of 2023 on the file of the Family Court, Udhagamandalam and transfer the same to the file of the Sub Court, Uthamapalayam.

For Petitioner : Mr.A.R.Kannappan

For Respondent : Ms.Rithika

**ORDER**

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.70 of 2023 on the file of the Family Court, Udhagamandalam and transfer the same to the file of the Sub Court, Uthamapalayam.



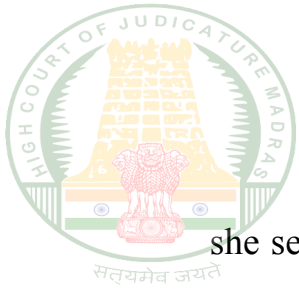
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2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 21.05.2003 at ARN Mandapam, Vatlakundu, Dindigul District as per the Hindu Rites and Customs. Out of wedlock, two female children, namely Yuvambika and Yazhini, were born on 28.03.2008 and 13.10.2010 respectively.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding in H.M.O.P.No.70 of 2023 on the file of the Family Court, Udhagamandalam seeking divorce.

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

5. The learned counsel for the petitioner would submit that the petitioner/wife is now residing with her children at Uthamapalayam Taluk, Theni District under the care of her mother. The distance between Uthamapalayam and Udhagamandalam is around 600 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 along with two children. Hence,



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she seeks transfer of proceeding in H.M.O.P.No.70 of 2023 from the file of the Family Court, Udhagamandalam to the file of the Sub Court, Uthamapalayam.

6. The learned counsel for the respondent would submit that the respondent/husband has no objection to allow this petition.

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 also considering the convenience of the wife, this Court is inclined to allow this petition.

9. The learned Judge, Family Court, Udhagamandalam is directed to transmit the entire records pertaining to the case, in H.M.O.P.No.70 of 2023, to the file of the Sub Court, Uthamapalayam within a period of three weeks from the date of receipt of a copy of this order, and on receipt of such



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records, the learned Judge, Sub Court, Uthamapalayam 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.

**03.03.2025**

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,  
Uthagamandalam, Nilgiris District.
- 2.The Sub Court,  
Uthamapalayam, Theni District.

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