



Tr.CMP.(MD)No.48 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 28.03.2025

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.48 of 2025

and

C.M.P.(MD)No.1375 of 2025

Nandhini

.. Petitioner

Vs.

Lingeshwaran

.. 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.1417 of 2024 on the file of the Family Court, Madurai and transfer the same to the file of the Family Court, Coimbatore.

For Petitioner : Mr.M.S.Jeyakarthish

For Respondent : Mr.C.Senthil Murugan

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.1417 of 2024 on the file of the Family Court, Madurai and transfer the same to the file of the Family Court, Coimbatore.



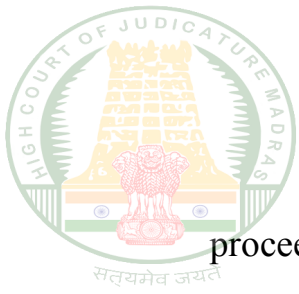
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WEB COPY 2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 18.10.2023 at Arulmighu Puspavaneshwar Soundhira Nayagi Amman Temple, Thiruppuvanam as per the Hindu 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.1417 of 2024 on the file of the Family Court, Madurai seeking divorce.

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 now residing at Neelambur, Soolur Taluk, Coimbatore District under the care of her parents. The distance between the petitioner's place of residence and Madurai 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



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proceeding in H.M.O.P.No.1417 of 2024 from the file of the Family Court, Madurai to the file of the Family Court, Coimbatore.

6. The learned counsel for the respondent submits that the respondent/husband is presently residing at Karaikudi and working as a Marketing Agent in a Jewellery store, namely Malabar Gold and Diamonds, and he would also be put to much hardship, if the proceeding in H.M.O.P. No.1417 of 2024 is transferred from the file of the Family Court, Madurai to the file of the Family Court, 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, this Court is inclined to allow this petition.



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WEB COPY 9. The learned Judge, Family Court, Madurai is directed to transmit the entire records pertaining to the case, in H.M.O.P.No.1417 of 2024, to the file of the Family Court, Coimbatore 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, Coimbatore 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.

28.03.2025

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,
Madurai.
- 2.The Family Court,
Coimbatore.

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