



Tr.CMP.(MD)No.60 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 27.03.2025

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.60 of 2025

and

C.M.P.(MD)No.1724 of 2025

B.Srenidi

.. Petitioner

Vs.

V.Giridhar

.. 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.143 of 2024 on the file of the Principal Sub Court, Hosur and transfer the same to the file of the Family Court, Madurai or any of the Sub Court, Madurai.

For Petitioner : Mr.N.S.Karthikeyan

For Respondent : No Appearance

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.143 of 2024 on the file of the Principal Sub Court, Hosur and transfer the same to the file of the Family Court, Madurai or any of the Sub Court at Madurai.

Page No 1 of 5



Tr.CMP.(MD)No.60 of 2025

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 08.09.2019 at Brahamana Kalyana Mahal, Madurai 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.143 of 2024 on the file of the Principal Sub Court, Hosur seeking restitution of conjugal rights.

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.

5. Heard the learned counsel appearing for the petitioner.

6. The learned counsel for the petitioner submits that the petitioner/wife is now residing at Anaiyur, Madurai District under the care



Tr.CMP.(MD)No.60 of 2025

of her parents, and is pursuing the Chartered Accountancy course at Madurai. The distance between Madurai and Hosur is around 800 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.143 of 2024 from the file of the Principal Sub Court, Hosur to the file of the Family Court, Madurai or any of the Sub Court at Madurai.

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.

9. The learned Judge, Principal Sub Court, Hosur is directed to transmit the entire records pertaining to the case in H.M.O.P.No.143 of 2024 to the file of the Principal Sub Court, Madurai within a period of three



Tr.CMP.(MD)No.60 of 2025

weeks from the date of receipt of a copy of this order, and on receipt of such records, the learned Judge, Principal Sub Court, Madurai 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.

27.03.2025

Index:Yes/No
Speaking Order :Yes/No
Neutral Citation:Yes/No
mkn



WEB COPY



Tr.CMP.(MD)No.60 of 2025

P. VADAMALAI, J.

mkn

To

- 1.The Principal Sub Court,
Hosur.
- 2.The Principal Sub Court,
Madurai.

Tr.CMP.(MD)No.60 of 2025
and
C.M.P.(MD)No.1724 of 2025

27.03.2025