



Tr.C.M.P(MD)No.64 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **07.03.2025**

CORAM

THE HON'BLE MR.JUSTICE P.VADAMALAI

Tr.C.M.P(MD)No.64 of 2025

and

C.M.P(MD)No.1765 of 2025

B.Nagakiruthiga

... Petitioner

Vs.

M.Kathirvel

... Respondent

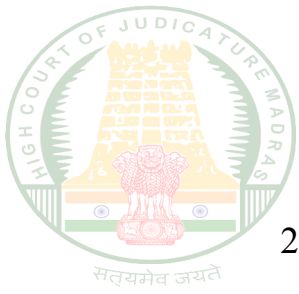
PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 r/w 151 of the Code of Civil Procedure, to withdraw the case in H.M.O.P.No.358 of 2024 on the file of the Family Court, Dindigul and transfer the same to the Family Court, Madurai District.

For Petitioner : Mr.V.Santhakumaresan

For Respondent : Mr.M.Vignesh Kumar

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.358 of 2024 on the file of the Family Court, Dindigul and transfer the same to the Family Court, Madurai District.



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

WEB COPY The marriage between the petitioner and the respondent was solemnized on 17.09.2023 at Arulmigu Subramaniya Swamy Temple, Thirupparankundram, Madurai as per the Hindu Rites and Customs. Due to misunderstanding between the parties, they have separated and the respondent/husband has filed a petition in H.M.O.P.No.358 of 2024 on the file of the Family Court, Dindigul, 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 Mootta Colony, Thirupparankundram, Madurai District. The distance between the petitioner's place of residence and Dindigul is about 70 Kms, and the petitioner/wife, being a lady finds it very difficult to travel such a long distance to attend every Court hearing at Dindigul. Hence, she seeks to transfer the case as prayed for.

5. The learned counsel for the respondent has raised strong objection to allow this petition.



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WEB COPY 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 before the Family Court, Dindigul, seeking divorce. 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. The learned Judge, Family Court, Dindigul, is directed to transmit the entire records pertaining to the case in H.M.O.P.No.358 of 2024 to the file of the Family Court, Madurai District, 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, Madurai District, is directed to take the case on file and dispose of the same as expeditiously as possible in accordance with law.



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WEB COPY8. Accordingly, this Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

07.03.2025

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

To

- 1.The Family Court,
Dindigul.
- 2.The Family Court,
Madurai District.
- 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.64 of 2025
and
C.M.P(MD)No.1765 of 2025

07.03.2025