



Tr.CMP.(MD)No.72 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 22.04.2025

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.72 of 2025

and

C.M.P.(MD)No.1869 of 2025

J.Arulselvi

.. Petitioner

Vs.

A.Parthibarajan

.. 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.280 of 2024 on the file of the Sub Court, Thirumangalam and transfer the same to the file of the Principal Sub Court, Tindivanam.

For Petitioner : M/s.Porkodi Karan
for M/s.Polex Legal Solutions

For Respondent : Mr.T.Vishnu

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.280 of 2024 on the file of the Sub Court, Thirumangalam and transfer the same to the file of the Principal Sub Court, Tindivanam.



Tr.CMP.(MD)No.72 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 06.06.2019 at Siva Jeya Mahal, Madurai as per the Hindu Rites and Customs.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding in H.M.O.P.No.280 of 2024 on the file of the Sub Court, Thirumangalam seeking divorce.

4. On the earlier occasion i.e. on 20.03.2025, this Court referred this case to the Mediation and Conciliation Centre attached to this Bench, and a report, dated 09.04.2025, has also been received by this Court stating that no agreement was reached. Despite referring the case to the Mediation on the request made by both the parties, there is no amicable settlement arrived between them.

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



Tr.CMP.(MD)No.72 of 2025

WEB COPY 6. The learned counsel for the petitioner submits that the petitioner/wife is residing at Tindivanam Taluk, Villupuram District. Since she is working as Village Administrative Officer at Villupuram District, she would not be in a position to travel from Tindivanam to Madurai for the Court hearings at Madurai. The distance between Tindivanam and Madurai is around 660 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.280 of 2024 from the file of the Sub Court, Thirumangalam to the file of the Principal Sub Court, Tindivanam.

7. The learned counsel for the respondent has raised only formal objection to this petition.

8. 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.



Tr.CMP.(MD)No.72 of 2025

9. 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.

10. The learned Judge, Sub Court, Thirumangalam is directed to transmit the entire records pertaining to the case, in H.M.O.P.No.280 of 2024, to the file of the Principal Sub Court, Tindivanam 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, Principal Sub Court, Tindivanam is directed to take the case on file and dispose of the same as expeditiously as possible in accordance with law.

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

22.04.2025

Index:Yes/No
Speaking Order :Yes/No
Neutral Citation:Yes/No
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Tr.CMP.(MD)No.72 of 2025

P. VADAMALAI, J.

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To

- 1.The Sub Court,
Thirumangalam, Madurai District.
- 2.The Principal Sub Court,
Tindivanam.

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