



Tr.CMP.(MD)No.124 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 08.04.2025

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.124 of 2025

and

C.M.P.(MD)No.2896 of 2025

M.Suguna

.. Petitioner

Vs.

A.Manoj Kumar

.. 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.165 of 2024 on the file of the Sub Court, Ambasamudram and transfer the same to the file of the Family Court, Tirunelveli.

For Petitioner : Mr.T.Selvan

For Respondent : Mr.R.Guru Chakkravarthy

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.165 of 2024 on the file of the Sub Court, Ambasamudram and transfer the same to the file of the Family Court, Tirunelveli.



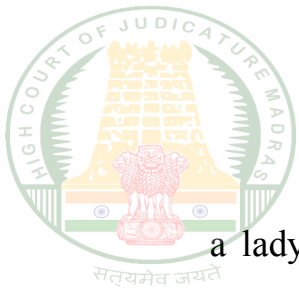
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2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 29.11.2023 at Adhi Sivam Marriage Hall, Ambai Road, Makkudal as per the Hindu Rites and Customs. Out of wedlock, 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.165 of 2024 on the file of the Sub Court, Ambasamudram seeking divorce. The petitioner/wife has initiated a proceeding in D.V.C.No.51 of 2025 on the file of the Judicial Magistrate Court No.I, Tirunelveli seeking the relief of return of jewels, educational certificates, house hold articles and maintenance.

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 Palayamkottai, Tirunelveli District under the care of her parents. The distance between Palayamkottai and Ambasamudram is around 80 Kms to and fro, and the petitioner/wife, being



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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.165 of 2024 from the file of the Sub Court, Ambasamudram to the file of the Family Court, Tirunelveli.

6. The learned counsel for the respondent has raised only formal 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, Sub Court, Ambasamudram is directed to transmit the entire records pertaining to the case, in H.M.O.P.No.165 of 2024, to the file of the Family Court, Tirunelveli within a period of three



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weeks from the date of receipt of a copy of this order, and on receipt of such records, the learned Judge, Family Court, Tirunelveli 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.

08.04.2025

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 Sub Court,
Ambasamudram.
- 2.The Family Court,
Tirunelveli.

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