



Tr.CMP.(MD)No.102 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.04.2025

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.102 of 2025

and

C.M.P.(MD)No.2510 of 2025

Bhuvaneswari @ Muthuselvi

.. Petitioner

Vs.

Vignesh

.. 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.307 of 2024 on the file of the Principal Sub Court, Kumbakonam and transfer the same to the file of the Principal Sub Court, Pudukkottai.

For Petitioner : Mr.D.Rameshkumar

For Respondent : Mr.R.Karunanidhi

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.307 of 2024 on the file of the Principal Sub Court, Kumbakonam and transfer the same to the file of the Principal Sub Court, Pudukkottai.



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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 17.09.2023 at MRV Mahal, Kumbakonam as per the Hindu Rites and Customs. Out of wedlock, a male child was born on 04.12.2024.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding in H.M.O.P.No.307 of 2024 on the file of the Principal Sub Court, Kumbakonam 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 residing with her child at Keeranur, Pudukkottai District under the care of her parents. The distance between the petitioner's place of residence and Kumbakonam is around 260 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 along with the three and a half month old child. Hence, she seeks transfer of proceeding in H.M.O.P.



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No.307 of 2024 from the file of the Principal Sub Court, Kumbakonam to
the file of the Principal Sub Court, Pudukkottai.

6. The learned counsel for the respondent has raised strong objection to allow this petition. Further, he requests this Court that the proceeding in H.M.O.P.No.307 of 2024 may be transferred from the file of the Principal Sub Court at Kumbakonam to the file of Family Court at Thanjavur.

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, Principal Sub Court, Kumbakonam is directed to transmit the entire records pertaining to the case, in H.M.O.P.No.307 of 2024, to the file of the Principal Sub Court, Pudukkottai within a period of



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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, Pudukkottai 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.

01.04.2025

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 Principal Sub Court,
Kumbakonam.

2.The Principal Sub Court,
Pudukkottai.

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