



Tr.CMP.(MD)No.100 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 13.03.2025

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THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.100 of 2025

and

C.M.P.(MD)No.2508 of 2025

S.Anusha

.. Petitioner

Vs.

A.Sivasubramanian

.. 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.15 of 2025 on the file of the Family Court, Tirunelveli and transfer the same to the file of the Family Court, Madurai.

For Petitioner : Mr.K.Neelamegam

For Respondent : Mr.M.Karthikeya Venkitachalapathy

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.15 of 2025 on the file of the Family Court, Tirunelveli and transfer the same to the file of the Family Court, Madurai.



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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 02.12.2019 at K.M. Wedding Hall, Madurai as per the Hindu Rites and Customs. Out of wedlock, a female child, named A.S.Varsha, was born on 14.06.2021.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding in H.M.O.P.No.15 of 2025 on the file of the Family Court, Tirunelveli seeking divorce.

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

5. The learned counsel for the petitioner would submit that the petitioner/wife is now residing with her child at S.S.Colony, Madurai District. The distance between Madurai and Tirunelveli is around 340 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 year old child. Hence, she seeks transfer of proceeding in



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H.M.O.P.No.15 of 2025 from the file of the Family Court, Tirunelveli to the file of the Family Court, Madurai.

6. The learned counsel for the respondent has not raised any 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, Family Court, Tirunelveli is directed to transmit the entire records pertaining to the case, in H.M.O.P.No.15 of 2025, to the file of the Family Court, Madurai 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 is directed to take the



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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.

13.03.2025

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 Family Court,
Tirunelveli.

2.The Family Court,
Madurai.

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