



Tr.CMP.(MD)No.96 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.04.2025

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.96 of 2025

and

C.M.P.(MD)No.2385 of 2025

Suguna @ Sugarnadevi

.. Petitioner

Vs.

Arunkumar

.. 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.126 of 2024 on the file of the Sub Court, Rajapalayam and transfer the same to the file of the Principal Sub Court, Madurai.

For Petitioner : Mr.K.K.Samy

For Respondent : Mr.S.Krishnan

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.126 of 2024 on the file of the Sub Court, Rajapalayam and transfer the same to the file of the Principal Sub 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 05.06.1998 at Anand Marriage Hall, D.P.Mills Road, Rajapalayam as per the Hindu Rites and Customs. Out of wedlock, two children, named Girisubburathinam and Karthigaiyazh Mozhi, were 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.126 of 2024 on the file of the Sub Court, Rajapalayam 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 since the children are studying at Chennai, the petitioner/wife is presently residing with her children at Porur in Chennai, and she will shift her residence to Iyer Bungalow, Madurai, where her mother resides, by the next academic year. The distance between Chennai and Rajapalayam is around 570 Kms, and the petitioner/wife, being a lady, finds it very difficult to travel such a



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long distance for attending every Court hearing along with two children.

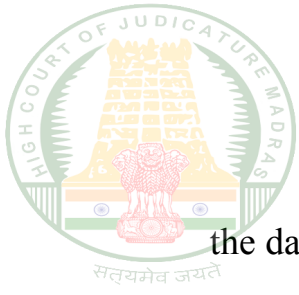
Hence, she seeks transfer of proceeding in H.M.O.P.No.126 of 2024 from the file of the Sub Court, Rajapalayam to the file of the Principal Sub Court, Madurai.

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, Sub Court, Rajapalayam is directed to transmit the entire records pertaining to the case, in H.M.O.P.No.126 of 2024, to the file of the Principal Sub Court, Madurai within a period of three weeks from



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the date of receipt of a copy of this order, and on receipt of such records, the learned Judge, Principal Sub Court, Madurai 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.

03.04.2025

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,
Rajapalayam.
- 2.The Principal Sub Court,
Madurai.

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