



Tr.CMP.(MD)No.101 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.04.2025

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.101 of 2025

and

C.M.P.(MD)No.2509 of 2025

G.Meera

.. Petitioner

Vs.

D.Vijay Clement

.. Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in I.D.O.P.No.278 of 2024 on the file of the Principal District and Sessions Court, Trichy and transfer the same to the file of the Principal District Court, Thanjavur.

For Petitioner : Mr.S.Ayyanar Prem Kumar
Legal Aid Counsel

For Respondent : Mr.N.Ilango

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in I.D.O.P.No.278 of 2024 on the file of the Principal District and Sessions Court, Trichy and transfer the same to the file of the Principal District Court, Thanjavur.



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2. When the matter is taken up for hearing today, Ms.M.Maria Vinola, learned counsel, who has been appearing for the petitioner hitherto, informs this Court that she handed over the bundle to the petitioner.

3. Mr.S.Ayyanar Prem Kumar, learned counsel, appeared on behalf of the petitioner through Legal Aid.

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

5. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 10.09.2023 at St. Joseph's Church, Thiruvalluvar Nagar, Lalgudi as per the Christian Rites and Customs. Out of wedlock, no child was born.

6. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding in I.D.O.P.No.278 of 2024 on the file of the Principal District and Sessions Court, Trichy seeking divorce.



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7. The learned counsel for the petitioner submits that the petitioner/wife is now residing at Thiruvaiyaru Taluk, Thanjavur District under the care of her mother. The distance between Thiruvaiyaru and Trichy is around 100 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 I.D.O.P.No.278 of 2024 from the file of the Principal District and Sessions Court, Trichy to the file of the Principal District Court, Thanjavur.

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

9. 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.

10. 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.



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WEB COPY 11. The learned Judge, Principal District and Sessions Court, Trichy is directed to transmit the entire records pertaining to the case, in I.D.O.P.No.278 of 2024, to the file of the Principal District Court, Thanjavur 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 District Court, Thanjavur is directed to take the case on file and dispose of the same as expeditiously as possible in accordance with law.

12. 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 Principal District and Sessions Court,
Trichy.
- 2.The Principal District Court,
Thanjavur.

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