

Tr.C.M.P(MD)No.135 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2025

CORAM

THE HON'BLE MR.JUSTICE P.VADAMALAI

Tr.C.M.P(MD)No.135 of 2025

and

C.M.P(MD)No.3240 of 2025

Sahaya Abisheka

... Petitioner

Vs.

Satheesh @ Satheeshkumar

... Respondent

**PRAYER :** Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case in H.M.O.P.No.98 of 2024 pending on the file of the Principal Subordinate Court at Pudukkottai and transfer the same to the file of the Family Court at Nagercoil, Kanniyakumari District.

For Petitioner : Mr.G.Aravinthan  
for M/s.Aran Legal Consultancy

For Respondent : No Appearance



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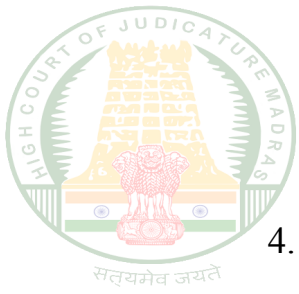
## **ORDER**

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The Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.98 of 2024 from the file of the Principal Subordinate Court, Pudukkottai and transfer the same to the file of the Family Court, Nagercoil, Kanniyakumari District.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 02.07.2020 at Arulmighu Vella Muneeswarar Temple, Gandarvakottai as per Hindu rites and rituals. Out of wedlock, they blessed with two children aged 2 ½ years and 1 year respectively. Due to misunderstanding between the parties, they have separated and the respondent/husband has filed a petition in H.M.O.P.No.98 of 2024 before the Principal Subordinate Court, Pudukkottai, seeking divorce.

3. Heard the learned counsel for the petitioner. Eventhough the respondent's name was printed in the cause list, none appeared for the respondent.



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4. The learned counsel for the petitioner submitted that the petitioner is now residing at Kanniyakumari. The distance between the petitioner's place of residence and Pudukkottai is more than 350 kms and the petitioner/wife, being a lady, finds it very difficult to travel such a long distance to attend every Court hearing at Pudukkottai. Hence, she seeks to transfer the case as prayed for.

5. Submissions of the petitioner's side considered. The respondent and the petitioner are husband and wife. Due to misunderstanding, they are living separately and in such circumstances, the respondent/husband filed the petition before the Principal Subordinate Court, Pudukkottai, seeking divorce. 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. Considering the facts and circumstances of the case and also considering the convenience of the petitioner/wife, this Court is inclined to allow this petition.

6. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. The learned Principal Sub Judge, Pudukkottai, is directed to transmit the entire records pertaining to the case in H.M.O.P.No.98 of 2024 to the file of the Family Court at Nagercoil, Kanniyakumari District, within a period of three



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weeks from the date of receipt of a copy of this order. On receipt of such records, the learned Judge, Family Court, Nagercoil, is directed to take the case on file and dispose of the same as expeditiously as possible in accordance with law. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

**21.03.2025**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
VSD

To

1. The Principal Sub Judge,  
Pudukkottai.
2. The Family Court,  
Nagercoil,
3. The Section Officer,  
Vernacular Section,  
Madurai Bench of Madras High Court,  
Madurai.



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**P.VADAMALAI, J.**

VSD

Order made in  
**Tr.C.M.P(MD)No.135 of 2025**  
**and**  
**C.M.P(MD)No.3240 of 2025**

**21.03.2025**