



Tr.CMP.(MD)No.119 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 18.03.2025

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THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.119 of 2025

and

C.M.P.(MD)No.2833 of 2025

Rajakumari

.. Petitioner

Vs.

Selvakumar

.. 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.103 of 2024 on the file of the Sub Court, Valliyoor and transfer the same to the file of the Sub Court, Tambaram.

For Petitioner : Mr.T.Leninkumar

For Respondent : No Appearance

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.103 of 2024 on the file of the Sub Court, Valliyoor and transfer the same to the file of the Sub Court, Tambaram.



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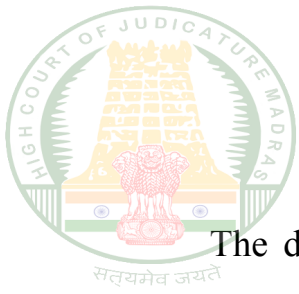
WEB COPY 2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 09.06.1989 at Tirunelveli District as per the Hindu Rites and Customs. Out of wedlock, a male child, named Suresh, and a female child, named Santhiya, were born and are aged about 33 and 29 years respectively.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding in H.M.O.P.No.103 of 2024 on the file of the Sub Court, Valliyoor seeking divorce.

4. The name of the respondent has been printed in the cause list. Despite the name has been printed in the cause list, the respondent/husband has neither entered appearance through a counsel nor in-person to oppose this transfer petition.

5. Heard the learned counsel appearing for the petitioner.

6. The learned counsel for the petitioner would submit that the petitioner/wife is now residing at Selliyamman Nagar, Sanitoriam, Chennai.



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The distance between the petitioner's place of residence and Valliyoor is around 1000 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 H.M.O.P.No.103 of 2024 from the file of the Sub Court, Valliyoor to the file of the Sub Court, Tambaram.

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, Valliyoor is directed to transmit the entire records pertaining to the case, in H.M.O.P.No.103 of 2024, to the file of the Sub Court, Tambaram 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



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Judge, Sub Court, Tambaram 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.

18.03.2025

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 Sub Court,
Valliyoor.
- 2.The Sub Court,
Tambaram.

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