



Tr.CMP.(MD)No.130 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 15.04.2025

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THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.130 of 2025

and

C.M.P.(MD)No.3003 of 2025

Kalarani

.. Petitioner

Vs.

J.Ester Selva Priyan

.. 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.33 of 2024 on the file of the Principal District Court, Tiruppur and transfer the same to the file of the Principal District Court, Dindigul.

For Petitioner : Ms.A.Ananthi

For Respondent : Mr.P.Shanmugavel

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in I.D.O.P.No.33 of 2024 on the file of the Principal District Court, Tiruppur and transfer the same to the file of the Principal District Court, Dindigul.



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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 30.10.2017 at CSI Trinity Church, SR Pattinam, Kaniyur, Madathukulam Taluk, Tiruppur District as per the Christian Rites and Customs. Out of wedlock, twin children, named Jenisha and Joshuva, were born on 02.03.2019.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding in I.D.O.P.No.33 of 2024 on the file of the Principal District Court, Tiruppur 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 the petitioner/wife is residing with her children in her parental home at Kottaipudhur, Dindigul District, and the children are studying in a school at Dindigul District. The distance between Dindigul and Tiruppur is around 250 Kms to and fro, and the petitioner/wife, being a lady, finds it very



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difficult to travel such a long distance for attending every Court hearing along with two children. Hence, she seeks transfer of proceeding in I.D.O.P.No.33 of 2024 from the file of the Principal District Court, Tiruppur to the file of the Principal District Court, Dindigul.

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, Principal District Court, Tiruppur is directed to transmit the entire records pertaining to the case, in I.D.O.P.No.33 of 2024, to the file of the Principal District Court, Dindigul within a period of three



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weeks from the date of receipt of a copy of this order, and on receipt of such records, the learned Judge, Principal District Court, Dindigul 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.

15.04.2025

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 Court,
Tiruppur.
- 2.The Principal District Court,
Dindigul.

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and
C.M.P.(MD)No.3003 of 2025

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