



Tr.CMP.(MD)No.132 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 19.03.2025

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.132 of 2025

and

C.M.P.(MD)No.3104 of 2025

N.Panimalar

.. Petitioner

Vs.

Anandkumar

.. 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.388 of 2023 on the file of the Family Court, Dindigul and transfer the same to the file of the Family Court, Madurai.

For Petitioner : Mr.M.S.Senthil Kumar

For Respondent : No Appearance

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.388 of 2023 on the file of the Family Court, Dindigul and transfer the same to the file of the Family Court, Madurai.



Tr.CMP.(MD)No.132 of 2025

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 28.08.2020 at Dindigul District as per the Hindu Rites and Customs. Out of wedlock, a female child, named A.Krishviga, was born on 11.06.2021.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding in H.M.O.P.No.388 of 2023 on the file of the Family Court, Dindigul seeking divorce. Thereafter, the petitioner/wife has initiated a proceeding in H.M.O.P.No.27 of 2024 on the file of the Additional Sub Court, Melur seeking restitution of conjugal rights.

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.



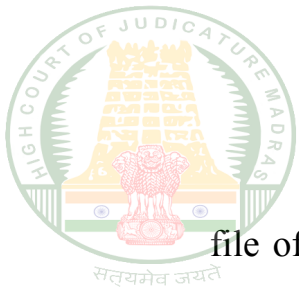
Tr.CMP.(MD)No.132 of 2025

6. The learned counsel for the petitioner would submit that the petitioner/wife is now residing with her child at Mullai Nagar, Poikaranpatti, Madurai District. The distance between Madurai and Dindigul is around 140 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 along with the three and a half year old child. Hence, she seeks transfer of proceeding in H.M.O.P.No.388 of 2023 from the file of the Family Court, Dindigul to the file of the Family Court, Madurai.

7. It is well settled proposition of law that whenever 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 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, Family Court, Dindigul is directed to transmit the entire records pertaining to the case in H.M.O.P.No.388 of 2023 to the



Tr.CMP.(MD)No.132 of 2025

file of the Family Court, Madurai 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, Family 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.

19.03.2025

Index:Yes/No
Speaking Order :Yes/No
Neutral Citation:Yes/No
mkn



WEB COPY



Tr.CMP.(MD)No.132 of 2025

P. VADAMALAI, J.

mkn

To

1.The Family Court,
Dindigul.

2.The Family Court,
Madurai.

Tr.CMP.(MD)No.132 of 2025

and

C.M.P.(MD)No.3104 of 2025

19.03.2025