



Tr.CMP.(MD)No.138 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 16.04.2025

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.138 of 2025

and

C.M.P.(MD)No.3320 of 2025

Pooja Talir

.. Petitioner

Vs.

Ramnath Krishnan

.. 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.1365 of 2022 on the file of the Family Court, Madurai and transfer the same to the file of the Family Court, Dindigul.

For Petitioner : Mr.M.Venkatesan

For Respondent : Mr.B.Anandan

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.1365 of 2022 on the file of the Family Court, Madurai and transfer the same to the file of the Family Court, Dindigul.



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2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 29.10.2020 at Arulmigu Subramaniaswamy Thirukovil, Thirupparankundram, Madurai as per the Hindu Rites and Customs. Out of wedlock, a male child, named Dheeranram, was born on 24.08.2021.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding in H.M.O.P.No.1365 of 2022 on the file of the Family Court, Madurai seeking divorce. The petitioner/wife has initiated a Domestic Violence Case in D.V.C.No.21 of 2022 on the file of the Additional Mahila Court (JM Level), Dindigul.

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 child at Dindigul District under the care of her parents, and her child is suffering with autism. The distance between Dindigul and Madurai is around 120 Kms to and fro, and the petitioner/wife, being a lady, finds it very difficult to travel such a long



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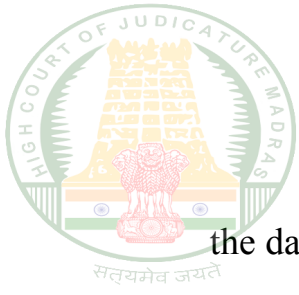
distance for attending every Court hearing along with the three and a half year old child. Hence, she seeks transfer of proceeding in H.M.O.P.No.1365 of 2022 from the file of the Family Court, Madurai to the file of the Family Court, Dindigul.

6. The learned counsel for the respondent has raised only formal objection to 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, Family Court, Madurai is directed to transmit the entire records pertaining to the case, in H.M.O.P.No.1365 of 2022, to the file of the Family Court, Dindigul within a period of three weeks from



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the date of receipt of a copy of this order, and on receipt of such records, the learned Judge, Family 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.

16.04.2025

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 Family Court,
Madurai.

2.The Family Court,
Dindigul.

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and

C.M.P.(MD)No.3320 of 2025

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