



*Tr.CMP.(MD)No.193 of 2025*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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**DATED : 28.04.2025**

CORAM

**THE HON'BLE MR JUSTICE P. VADAMALAI**

**Tr.CMP.(MD)No.193 of 2025**

**and**

**C.M.P.(MD)No.4956 of 2025**

Mallika Ramaraj

.. Petitioner

Vs.

Ramesh Prasana

.. 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.5212 of 2023 on the file of the III Additional Family Court, Chennai and transfer the same to the file of the Sub Court, Devakottai.

For Petitioner : Mr.S.Bageerathan

For Respondent : No Appearance

**ORDER**

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.5212 of 2023 on the file of the III Additional Family Court, Chennai and transfer the same to the file of the Sub Court, Devakottai.



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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 09.06.2022 at Pallathur Temple, Sivagangai District as per the Hindu Rites and Customs. Out of wedlock, no child was born.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding in H.M.O.P.No.5212 of 2023 on the file of the III Additional Family Court, Chennai seeking dissolution of marriage.

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 submits that the petitioner/wife is now residing at Pallathur, Sivagangai District. The



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distance between Pallathur and Chennai is around 800 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.5212 of 2023 from the file of the III Additional Family Court, Chennai to the file of the Sub Court, Devakottai.

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 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, III Additional Family Court, Chennai is directed to transmit the entire records pertaining to the case in H.M.O.P. No.5212 of 2023 to the file of the Sub Court, Devakottai 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, Sub Court, Devakottai is directed to take



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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.

**28.04.2025**

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 III Additional Family Court,  
Chennai.
- 2.The Sub Court,  
Devakottai.

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