



Tr.CMP.(MD)No.167 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 17.04.2025

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.167 of 2025

and

C.M.P.(MD)No.4207 of 2025

S.Vallikkannu

.. Petitioner

Vs.

Saravanan Arunachalam

.. 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.41 of 2025 on the file of the Family Court, Tiruchirappalli and transfer the same to the file of the Family Court, Pudukkottai.

For Petitioner : Mr.R.Muthukumaran

For Respondent : Mr.D.Shanmugaraja Sethupathi

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.41 of 2025 on the file of the Family Court, Tiruchirappalli and transfer the same to the file of the Family Court, Pudukkottai.



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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 06.05.2020 at Alagathaal Temple House, Kilasevalpatti as per the Hindu Rites and Customs. Out of wedlock, a female child, named S.Saipriya, was born on 04.08.2021.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding in H.M.O.P.No.41 of 2025 on the file of the Family Court, Tiruchirappalli 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 child at T.Kilasevalpatti, Thiruvathur Taluk, Sivagangai District under the care of her parents. The distance between the petitioner's place of residence and Tiruchirappalli is around 200 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



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along with the three and a half year old child. Hence, she seeks transfer of proceeding in H.M.O.P.No.41 of 2025 from the file of the Family Court, Tiruchirappalli to the file of the Family Court, Pudukkottai.

6. The learned counsel for the respondent submits that the respondent/husband has not raised any objection for the transfer of proceeding, in H.M.O.P.No.41 of 2025, from the file of the Family Court at Tiruchirappalli to the file of the Family Court at Pudukkottai, but he requests this Court that a direction may be given to the learned Family Judge, Pudukkottai to dispose of the case as early as possible.

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 considering the convenience of the wife, and also considering the submissions made by the learned counsel on either side, this Court is inclined to allow this petition.



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WEB COPY 9. The learned Judge, Family Court, Tiruchirappalli is directed to transmit the entire records pertaining to the case, in H.M.O.P.No.41 of 2025, to the file of the Family Court, Pudukkottai 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, Pudukkottai is directed to take the case on file and dispose of the same in accordance with law within a period of nine months from the date of receipt of records.

10. Accordingly, this Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

17.04.2025

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,
Tiruchirappalli.

2.The Family Court,
Pudukkottai.

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