



Tr.CMP.(MD)No.202 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 28.04.2025

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.202 of 2025

and

C.M.P.(MD)No.5669 of 2025

P.Saranya

.. Petitioner

Vs.

S.Mahendran

.. 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.205 of 2024 on the file of the Family Court, Karur and transfer the same to the file of the Sub Court, Musiri.

For Petitioner : Mr.R.M.Sivakumar

For Respondent : Mr.R.Rajaraman

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.205 of 2024 on the file of the Family Court, Karur and transfer the same to the file of the Sub Court, Musiri.



Tr.CMP.(MD)No.202 of 2025

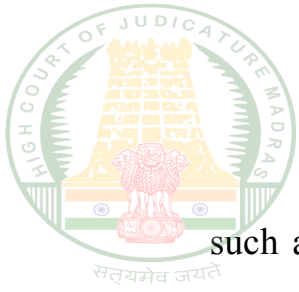
WEB COPY

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 01.05.2015 at M.C.Chinnaiya Thirumana Mandapam, Kulithalai. Out of wedlock, a male child, named Thirukumaran, was born, who is aged about ten years as of today.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated a proceeding in H.M.O.P.No.117 of 2019 on the file of the Sub Court, Kulithalai seeking divorce and subsequently, the said proceeding was transferred to the file of the Family Court, Karur and got re-numbered as H.M.O.P.No.205 of 2024 and is now pending on the file of the Family Court, Karur.

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 Thottiyam Taluk, Trichy District. The distance between Thottiyam and Karur is around 80 Kms to and fro, and the petitioner/wife, being a lady, finds it very difficult to travel



Tr.CMP.(MD)No.202 of 2025

such a long distance for attending every Court hearing along with the ten year old child. Hence, she seeks transfer of proceeding in H.M.O.P.No.205 of 2024 from the file of the Family Court, Karur to the file of the Sub Court, Musiri.

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.205 of 2024, from the file of the Family Court at Karur to the file of the Sub Court at Musiri, but he requests this Court that a direction may be given to the learned Subordinate Judge, Musiri 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 also considering the convenience of the wife, this Court is inclined to allow this petition.



Tr.CMP.(MD)No.202 of 2025

WEB COPY 9. The learned Judge, Family Court, Karur is directed to transmit the entire records pertaining to the case, in H.M.O.P.No.205 of 2024, to the file of the Sub Court, Musiri within a period of two weeks from the date of receipt of a copy of this order, and on receipt of such records, the learned Judge, Sub Court, Musiri 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.

28.04.2025

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



WEB COPY



Tr.CMP.(MD)No.202 of 2025

P. VADAMALAI, J.

mkn

To

- 1.The Family Court,
Karur.
- 2.The Sub Court,
Musiri, Trichy District.

Tr.CMP.(MD)No.202 of 2025
and
C.M.P.(MD)No.5669 of 2025

28.04.2025