



Tr.CMP.(MD)No.212 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2025

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.212 of 2025

1.Buveneswari

2.Minor. Yashini

Represented by her natural guardian/
Mother Buveneswari/the 1st petitioner herein .. Petitioners

Vs.

1.Manikandan

2.Pommuraj

3.Janaki .. Respondents

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in D.V.C.No.1 of 2025 on the file of the District Munsif cum Judicial Magistrate, Aravakurichi and transfer the same to the file of the Judicial Magistrate, Oddanchatram.

For Petitioners : Mr.K.Arunraj

For Respondents : Mr.G.Gomathi Sankar



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ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in D.V.C.No.1 of 2025 on the file of the District Munsif cum Judicial Magistrate, Aravakurichi and transfer the same to the file of the Judicial Magistrate, Oddanchatram.

2. The 1st petitioner is the wife and the 1st respondent is the husband. The marriage between both the parties was solemnized on 10.09.2021 at Karur District as per the Hindu Rites and Customs. Out of wedlock, a female child, named Yashini, was born and has been arrayed as the 2nd petitioner herein.

3. Due to disputes and differences, the parties have separated, and the 1st petitioner/wife has initiated the proceeding in D.V.C.No.1 of 2025 on the file of the District Munsif cum Judicial Magistrate, Aravakurichi seeking protection, maintenance and return of properties.

4. Heard the learned counsel for the petitioners and the learned counsel for the respondents.



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WEB COPY 5. The learned counsel for the petitioners submits that the petitioner/wife is residing with her child at Idayakottai, Oddanchatram Taluk, Dindigul District under the care of her parents. The distance between the petitioner's place of residence and Aravakurichi is around 50 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 two and a half year old child. Hence, she seeks transfer of proceeding in D.V.C.No.1 of 2025 from the file of the District Munsif cum Judicial Magistrate, Aravakurichi to the file of the Judicial Magistrate, Oddanchatram.

6. The learned counsel for the respondents submits that instead of Judicial Magistrate at Oddanchatram, the proceeding in D.V.C.No.1 of 2025 may be transferred from the file of the District Munsif cum Judicial Magistrate, Aravakurichi to the file of any other Court between Aravakurichi and Oddanchatram, preferably Judicial Magistrate Court at Veda sandur, for which the learned counsel for the petitioners has also acceded to.



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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 fact that the learned counsel for the petitioners has not raised any objection for the transfer of proceeding in D.V.C.No.1 of 2025 from the file of the District Munsif cum Judicial Magistrate at Aravakurichi to the file of the Judicial Magistrate Court at Vendasandur, this Court is inclined to allow this petition.

9. The learned Judge, District Munsif cum Judicial Magistrate, Aravakurichi is directed to transmit the entire records pertaining to the case, in D.V.C.No.1 of 2025, to the file of the Additional District Munsif cum Judicial Magistrate, Vendasandur 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, Additional District Munsif cum Judicial Magistrate, Vendasandur is directed to take the case on file and dispose of the same as expeditiously as possible in accordance with law.



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WEB COPY 10. Accordingly, this Transfer Civil Miscellaneous Petition stands
allowed. No costs.

25.04.2025

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 District Munsif cum Judicial Magistrate,
Aravakurichi, Karur District.
- 2.The Additional District Munsif cum Judicial Magistrate,
Vedasandur, Dindigul District.

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