



TR.C.M.P.(MD)No.300 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 27.11.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

TR.C.M.P.(MD)No.300 of 2025
and
C.M.P.(MD)No.7385 of 2025

Pavithra,
D/o.Kalimuthu,
W/o.Prabhakaran,
new residing in her parental house at
No.5/171/5-12, Nayudu Street,
Attur Town and Post, Attut Taluk,
Dindigul District.

... Petitioner

vs.

Prabhakaran,
S/o.Chellakaruppan,
residing at East Street,
East Rajapalayam,
Thalaivasal Taluk,
Salem District.

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure to withdraw the petition in H.M.O.P.No. 117 of 2024 on the file of the Subordinate Court at Attur, Salem District and transfer the same to the Principal Subordinate Court at Dindigul, Dindigul District.



TR.C.M.P.(MD)No.300 of 2025

For Petitioner :Mr.M.Suresh
For Respondent :Mr.S.Harish

ORDER

The present Transfer Civil Miscellaneous Petition has been filed with the following prayer:

“to withdraw the petition in H.M.O.P.No.117 of 2024 on the file of the Subordinate Court at Attur, Salem District and transfer the same to the Principal Subordinate Court at Dindigul, Dindigul District.”

2.Heard Mr.M.Suresh, learned Counsel for the petitioner and Mr.S.Harish, learned Counsel for the respondent.

3.The Petitioner is the wife and the Respondent is the husband and their marriage was solemnized on 17.06.2018, according to Hindu rites and customs and out of their wedlock, they were blessed with one girl child, namely, Kiruthika. Due to matrimonial dispute arose between them, the Petitioner had left the matrimonial home. The Respondent/Husband had filed the above case in H.M.O.P.No.117 of



TR.C.M.P.(MD)No.300 of 2025

2024, before the Subordinate Court at Attur, Salem District, against the Petitioner/Wife, for divorce. Seeking transfer of the above case in H.M.O.P.No.117 of 2024 from the file of Subordinate Court at Attur, Salem District, to the file of the Principal Subordinate Court at Dindigul, Dindigul District, the present Transfer Civil Miscellaneous Petition has been filed.

4.Mr.M.Suresh, learned Counsel for the petitioner submits that being a lady, it is very difficult for the petitioner to travel more than 450 kms., approximately up and down from Dindigul to Salem, for all the Court hearings along with her child and also she do not have any finance to meet the travel and other incidental expenses. Thus, he prays that this Court may transfer the case in H.M.O.P.No.117 of 2024 from the file of Subordinate Court at Attur, Salem District, to the file of the Principal Subordinate Court at Dindigul, Dindigul District.

5.During the course of arguments, Mr.S.Harish, learned Counsel for the respondent has, on instructions from the Respondent/Husband, submitted that the Respondent/Husband has no objection to transfer the



TR.C.M.P.(MD)No.300 of 2025

case in H.M.O.P.No.117 of 2024 pending on file of the Subordinate Court at Attur, Salem District, to the file of the Principal Subordinate Court at Dindigul, Dindigul District. Hence, it is not necessary to go into the merits or otherwise of the case.

6. Accordingly, in view of the submissions made by the learned Counsel for the respondent, agreeing to allow this Transfer Civil Miscellaneous Petition, as prayed for, considering the fact that the petitioner, being a lady, would be facing difficulty to travel about more than 450 kms approximately up and down to attend all the Court hearings along with her child before the Subordinate Court at Attur, Salem District, where the H.M.O.P.No.117 of 2024 is pending and that she is also facing finance constraint to meet travel and incidental expenses and also considering the averments made in the affidavit filed in support of the present Transfer Civil Miscellaneous Petition, this Transfer Civil Miscellaneous Petition is allowed, as prayed for. The matrimonial case in H.M.O.P.No.117 of 2024 pending on file of the Subordinate Court at Attur, Salem District, is hereby ordered to be withdrawn and transferred to the file of the Principal Subordinate Court at Dindigul, Dindigul



TR.C.M.P.(MD)No.300 of 2025

District. The learned Principal Subordinate Judge, Dindigul, Dindigul District, is directed not to give any adjournment to either of the parties unless there is any cogent reason or stay by any higher Court and decide the case, on merits and in accordance with law, expeditiously. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

7.Registry is directed to communicate this order to the learned Subordinate Judge, Attur, Salem District as well as to the learned Principal Subordinate Judge, Dindigul, Dindigul District, for its necessary compliance and information, within a period of 10 days from today.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No

27.11.2025

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To
1.The Subordinate Judge,
Attur, Salem District.
2.The Principal Subordinate Judge,
Dindigul, Dindigul District,

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TR.C.M.P.(MD)No.300 of 2025

SHAMIM AHMED, J.

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TR.C.M.P.(MD)No.300 of 2025

27.11.2025