



Tr.CMP(MD).No.333 & 353 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2025

CORAM :

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

Tr.CMP(MD).Nos.333 & 353 of 2025
and
CMP(MD).Nos.9055 & 9733 of 205

T.Rengasamy ... Petitioner in both petition

vs.

R.Panjavarnam ... Respondent in both petition

PRAYER in Tr.CMP(MD).333 of 2025: Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw the case in G.W.O.P.No.451 of 2023 pending on the file of the learned Family Court, Madurai and transfer the same to the learned Family Court, Theni and thus render justice.

PRAYER in Tr.CMP(MD).353 of 2025: Transfer Civil Miscellaneous Petition filed under section 24 of Civil Procedure Code to withdraw the case in H.M.O.P.No.643/2021 pending on the file of the Learned Family court, Madurai and transfer the same to the learned Family Court, Theni and thus render justice.

(In both cases)

For Petitioner : Mr.R.Manoharan
For Respondent : Mr.R.Suriyanarayanan



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COMMON ORDER

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These Transfer Petitions are at the instance of husband. He seeks withdrawal of G.M.O.P.No.451 of 2023 from the file of Family Court, Madurai and transfer the same to the file of Family Court, Theni and withdrawal of H.M.O.P.No.643/2021 from the file of Family court, Madurai and transfer the same to the file of Family Court, Theni.

2. Heard, Mr.R.Manoharan, learned Counsel for the Petitioner and Mr.R.Suriyanarayanan, learned counsel for Respondent.

3. Petitioner married the respondent on 31.10.2004, according to Hindu rites and customs. Out of wedlock, a male child was born and now he is aged about eight years old. The respondent has filed a petition seeking dissolution of marriage in HMOP.No.643 of 2021 before the Family Court, Madurai and also the petitioner filed a Guardian Wards petition in GWOP.No.451 of 2023 pending on the file of Family Court, Madurai.



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4. The learned Counsel for petitioner would submit that the petitioner is a Government School teacher and presently working at Bodinayakanur and unable to travel from Theni to Madurai, he has moved this transfer petition.

5. Mr.R.Suriyanaryanan, learned counsel for respondent submitted that respondent may have difficulty, if she is required to travel and be physically present for all the hearings.

6. It is relevant to note that Parliament, while amending the Hindu Marriage Act, has incorporated Section 19(iii), permitting a wife to initiate a proceeding in a place where she is residing. This is an indication that convenience of the wife has to be given precedence by the Court. In line with this Parliamentary amendment, this Court and the Supreme Court have consistently held in matters of transfer, convenience of wife should be given a superior consideration than that of husband.



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7. In view thereof, this Court is inclined to dismiss the present

Transfer petitions. Accordingly, these Transfer petitions are dismissed.

However, Family Court, Madurai, is directed to dispose of the
aforementioned cases expeditiously, preferably within a period of six
months. No costs. Consequently, connected miscellaneous petitions are
closed.

16.12.2025

Index :Yes / No

Internet :Yes / No

NCC :Yes / No

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WEB COPY To:

The Judge,
Family Court,
Madurai.



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MOHAMMED SHAFFIQ, J.

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Common Order made in
Tr.CMP(MD)Nos.333 & 353 of 2025

16.12.2025