



Tr.CMP.(MD)No.519 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.02.2025

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THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.519 of 2022

and

C.M.P.(MD)No.8119 of 2022

P.Thirumayee @ Dhanalakshmi

.. Petitioner

Vs.

P.Ravi

.. 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.190 of 2022 on the file of the Family Court, Dindigul and transfer the same to the file of the Family Court, Madurai.

For Petitioner : Ms.M.Deepajothi

For Respondent : Ms.P.Kalaiyarasi Bharathi



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ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.190 of 2022 on the file of the Family Court, Dindigul and transfer the same to the file of the Family Court, Madurai.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 15.11.2013 at Kanavai Karuppasamy Temple, Dindigul as per the Hindu Rites and Customs. Out of wedlock, a female child, named Thesika, was born.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding in H.M.O.P.No.190 of 2022 on the file of the Family Court, Dindigul seeking divorce.

4. Heard the learned counsel for the petitioner and the learned counsel for the respondent.



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5. The learned counsel for the petitioner would submit that the petitioner is now residing with her child at Thethampatti Village, Madurai under the care of her parents. The distance between the petitioner's place of residence and Dindigul is around 60 Kms, 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 child. Hence, she seeks transfer of proceeding in H.M.O.P.No.190 of 2022 from the file of the Family Court, Dindigul to the file of the Family Court, Madurai.

6. The learned counsel for the respondent has raised only formal objection to this petition.

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.



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WEB COPY 9. The learned Judge, Family Court, Dindigul is directed to transmit the entire records pertaining to the case, in H.M.O.P.No.190 of 2022, to the file of the Family Court, Madurai 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, Madurai 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.

17.02.2025

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,
Dindigul.

2.The Family Court,
Madurai.

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and
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