



*Tr.CMP.(MD)No.684 of 2022*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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**DATED : 20.02.2025**

CORAM

**THE HON'BLE MR JUSTICE P. VADAMALAI**

**Tr.CMP.(MD)No.684 of 2022**

**and**

**C.M.P.(MD)No.10933 of 2022**

V.P.Deepika Sudharshini

.. Petitioner

Vs.

J.Vijayakumar

.. Respondent

**Prayer** : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in I.A.No.1 of 2022 in Unnumbered H.M.O.P. of 2022 on the file of the Family Court, Dindigul and transfer the same to the file of the Family Court, Madurai.

For Petitioner : Mr.N.S.Karthikeyan

For Respondent : Mr.D.Shanmugaraja Sethupathi

**ORDER**

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in I.A.No.1 of 2022 in Unnumbered H.M.O.P. of 2022 on the file of the Family Court, Dindigul and transfer the same to the file of the Family Court, Madurai.



*Tr.CMP.(MD)No.684 of 2022*

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 13.03.2022 at Christian Vanniyar Mahal, Dindigul as per the Hindu Rites and Customs. Out of wedlock, no child was born.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding in I.A.No.1 of 2022 in Unnumbered H.M.O.P. of 2022 on the file of the Family Court, Dindigul seeking permission to waive the period of time for filing divorce petition.

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

5. The learned counsel for the petitioner would submit that the petitioner is now residing at Madurai District under the care of her father. The distance between Madurai and Dindigul is around 65 Kms, and the petitioner/wife, being a lady, finds it very difficult to travel such a long distance for attending every Court hearing. Hence, she seeks transfer of proceeding in I.A.No.1 of 2022 in Unnumbered H.M.O.P. of 2022 from the file of the Family Court, Dindigul to the file of the Family Court, Madurai.



*Tr.CMP.(MD)No.684 of 2022*

**WEB COPY** 6. The learned counsel for the respondent has raised strong objection to this petition, and submitted that the respondent would also face difficulties, if the proceeding in I.A.No.1 of 2022 in Unnumbered H.M.O.P. of 2022 is transferred from the file of the Family Court, Dindigul to the file of the Family Court, Madurai.

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.

9. The learned Judge, Family Court, Dindigul is directed to transmit the entire records pertaining to the case, in I.A.No.1 of 2022 in Unnumbered H.M.O.P. 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



*Tr.CMP.(MD)No.684 of 2022*

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 in accordance with law within a period of five months from the date of receipt of records.

10. Accordingly, this Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

**20.02.2025**

Index:Yes/No  
Speaking Order :Yes/No  
Neutral Citation:Yes/No  
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*Tr.CMP.(MD)No.684 of 2022*

**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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