



*Tr.CMP.(MD)No.614 of 2024*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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**DATED : 20.03.2025**

CORAM

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

**Tr.CMP.(MD)No.614 of 2024**

**and**

**C.M.P.(MD)No.14755 of 2024**

Anusuya

.. Petitioner

Vs.

Gunasekaran

.. 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.13 of 2024 on the file of the Sub Court, Gobichettipalayam and transfer the same to the file of the Family Court, Thoothukudi.

For Petitioner : Mr.D.S.Haroon Rasheed

For Respondent : Mr.P.Venkatesan

**ORDER**

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.13 of 2024 on the file of the Sub Court, Gobichettipalayam and transfer the same to the file of the Family Court, Thoothukudi.



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**WEB COPY** 2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 23.11.2017 at Sri Balakumaran Mahal, Gobichettipalayam. Out of wedlock, two children, named Athithi and Riya, were born and are aged about 6 years and 10 months respectively.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding in H.M.O.P.No.13 of 2024 on the file of the Sub Court, Gobichettipalayam seeking divorce.

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

5. The learned counsel for the petitioner submits that the petitioner/wife is now residing with her children at Thoothukudi District. The distance between Thoothukudi and Gobichettipalayam is around 750 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 two children. Hence, she seeks transfer of proceeding in H.M.O.P.No.13 of



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2024 from the file of the Sub Court, Gobichettipalayam to the file of the  
Family Court, Thoothukudi.

6. The learned counsel for the respondent has not raised any objection to allow 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.

9. The learned Judge, Sub Court, Gobichettipalayam is directed to transmit the entire records pertaining to the case, in H.M.O.P.No.13 of 2024, to the file of the Family Court, Thoothukudi 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, Thoothukudi is directed to take



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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.

**20.03.2025**

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 Sub Court,  
Gobichettipalayam.

2.The Family Court,  
Thoothukudi.

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