



Tr.C.M.P(MD)No.636 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.04.2025**

CORAM

THE HON'BLE MR.JUSTICE P.VADAMALAI

Tr.C.M.P(MD)No.636 of 2024

and

C.M.P(MD)No.15225 of 2024

R.Renganayagi @ Sugeerthi

... Petitioner

Vs.

P.Naveen Kumar

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case in H.M.O.P.No.677 of 2024 on the file of the Family Court, Coimbatore and transfer the same to the Family Court, Theni.

For Petitioner : Ms.A.Victoria

For Respondent : Mr.K.Sivabalan



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ORDER

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This Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.677 of 2024 from the file of the Family Court, Coimbatore and transfer the same to the file of the Family Court, Theni.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 09.09.2021 at Perunganallur Arulmigu Sri Peththanasamy Temple, Madurai, as per Hindu rites and customs. Out of wedlock, they blessed with a female child named N.Vethasri, now aged about one year. Due to misunderstanding between the parties, they have separated and the respondent/husband has filed H.M.O.P.No.677 of 2024 before the Family Court, Coimbatore, for dissolution of marriage.

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

4. The learned counsel for the petitioner submitted that the petitioner is now residing at Andipatti, Thimarasayanayakanur, Theni District. The distance between the petitioner's place of residence and Coimbatore is about 400 kms up



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and down and the petitioner/wife, being a lady, finds it very difficult to travel such a long distance to attend every Court hearing at Theni. Hence, she seeks to transfer the case as prayed for.

5. The learned counsel for the respondent would submit that earlier the matter was referred to mediation, however, the petitioner did not turn up for mediation and has raised a formal objection to allow this petition.

6. Submissions of both sides considered. The respondent and the petitioner are husband and wife. Due to misunderstanding, they are living separately and in such circumstances, the respondent filed the petition seeking dissolution of marriage before the Family Court, Coimbatore. 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. Considering the facts and circumstances of the case and also considering the convenience of the petitioner/wife, this Court is inclined to allow this petition.

7. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.677 of 2024 pending on the file of the Family Court, Coimbatore,



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is hereby withdrawn and transferred to the file of the Family Court, Theni.

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8. The learned Judge, Family Court, Coimbatore, is directed to transmit the entire records pertaining to the case in H.M.O.P.No.677 of 2024 to the file of the Family Court, Theni, within a period of three weeks from the date of receipt of a copy of this order. The learned Judge, Family Court, Theni, is directed to take the case on file and dispose of the same within a period of six months from the date of receipt of records. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

09.04.2025

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

To

- 1.The Family Court,
Coimbatore.
2. The Family Court,
Theni.
- 3.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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P.VADAMALAI, J.

VSD

Order made in
Tr.C.M.P(MD)No.636 of 2024
and
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09.04.2025