



Tr.CMP.(MD)No.698 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.02.2025

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THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.698 of 2024

and

C.M.P.(MD)No.16821 of 2024

Sathya Priya

.. Petitioner

Vs.

Manikandan

.. 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.310 of 2024 on the file of the Family Court, Dindigul and transfer the same to the file of any competent Court at Madurai District more particularly the Family Court, Madurai.

For Petitioner : Mr.J.Sankara Pandian

For Respondent : Mr.S.Vasanth Yugesh

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.310 of 2024 on the file of the Family Court, Dindigul and transfer the same to the file of the Family Court, Madurai or any other competent Court at Madurai District.



Tr.CMP.(MD)No.698 of 2024

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 27.03.2022 at Arulmighu Seenivasa Perumal Temple in Dindigul District as per the Hindu Rites and Customs. Out of the wedlock, no child 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.310 of 2024 on the file of the Family Court, Dindigul seeking divorce. The petitioner/wife has initiated a Domestic Violence Case in D.V.C.No.125 of 2024 on the file of the Mahila Court, Madurai and also a Maintenance Case in M.C.No.231 of 2024 on the file of the Family Court, Madurai seeking maintenance.

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 under the care of her parents. The distance between Madurai and Dindigul is around 70 Kms, and the petitioner/wife, being a lady, finds it very difficult to travel such a long



Tr.CMP.(MD)No.698 of 2024

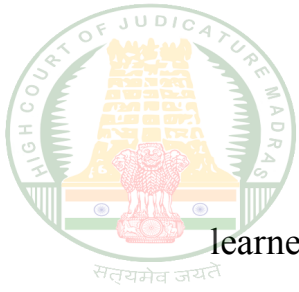
distance for attending every Court hearing. Hence, she seeks transfer of proceeding in H.M.O.P.No.310 of 2024 from the file of the Family Court, Dindigul to the file of the Family Court, Madurai.

6. The learned counsel for the respondent has not raised any serious 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.

9. The learned Judge, Family Court, Dindigul is directed to transmit the entire records pertaining to the case, in H.M.O.P.No.310 of 2024, 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



Tr.CMP.(MD)No.698 of 2024

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.

12.02.2025

Index:Yes/No
Speaking Order :Yes/No
Neutral Citation:Yes/No
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Tr.CMP.(MD)No.698 of 2024

P. VADAMALAI, J.

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To

1.The Family Court,
Dindigul.

2.The Family Court,
Madurai.

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and
C.M.P.(MD)No.16821 of 2024

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