



Tr.CMP.(MD)No.712 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 20.02.2025

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.712 of 2024

and

C.M.P.(MD)No.17144 of 2024

Aruna Venkateswari

.. Petitioner

Vs.

R.Arun Deepak

.. 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.593 of 2024 on the file of the Sub Court, Alandur and transfer the same to the file of the Principal Sub Court, Tenkasi to be tried along with H.M.O.P.No.288 of 2024.

For Petitioner : Mr.S.S.Thesigan

For Respondent : No Appearance

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.593 of 2024 on the file of the Sub Court, Alandur and transfer the same to the file of the Principal Sub Court, Tenkasi to be tried along with H.M.O.P.No.288 of 2024.



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2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 11.09.2023 at Sri Angala Parameswari Temple, Tenkasi District as per the Hindu Rites and Customs.

3. Due to disputes and differences, the parties have separated, and the petitioner/wife has initiated the proceeding in H.M.O.P.No.288 of 2024 on the file of the Principal Sub Court, Tenkasi seeking divorce. The respondent/husband has initiated the proceeding in H.M.O.P.No.593 of 2024 on the file of the Sub Court, Alandur seeking nullity of marriage.

4. The name of the respondent has been printed in the cause list. Despite the name has been printed in the cause list, the respondent/husband has neither entered appearance through a counsel nor in-person to oppose this transfer petition.

5. Heard the learned counsel appearing for the petitioner.

6. The learned counsel for the petitioner would submit that the petitioner/wife is now residing at Tenkasi under the care of her parents. The



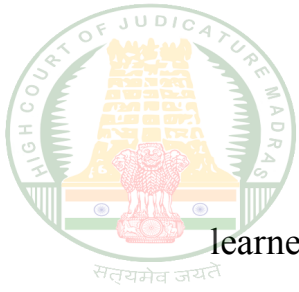
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distance between Tenkasi and Alandur is around 1300 Kms to and fro, and the petitioner/wife, being a lady, finds it very difficult to travel such a long distance for attending every Court hearing. Hence, she seeks transfer of proceeding in H.M.O.P.No.593 of 2024 from the file of the Sub Court, Alandur to the file of the Principal Sub Court, Tenkasi to be tried along with H.M.O.P.No.288 of 2024.

7. It is well settled proposition of law that whenever 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 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, Alandur is directed to transmit the entire records pertaining to the case in H.M.O.P.No.593 of 2024 to the file of the Principal Sub Court, Tenkasi within a period of three weeks from the date of receipt of a copy of this order, and on receipt of such records, the



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learned Judge, Principal Sub Court, Tenkasi is directed to take the case on file, and hear the case along with H.M.O.P.No.288 of 2024, and dispose of both the cases 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.

20.02.2025

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 Sub Court,
Alandur.

2.The Principal Sub Court,
Tenkasi.

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and
C.M.P.(MD)No.17144 of 2024

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