



Tr.CMP.(MD)No.722 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.02.2025

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THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.722 of 2024

and

C.M.P.(MD)No.17395 of 2024

Jerlin Sushmitha

.. Petitioner

Vs.

Arun Kumar

.. Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in I.D.O.P.No.185 of 2024 on the file of the Principal District Court, Thiruvallur and transfer the same to the file of the Family Court, Dindigul or any other competent Court at Dindigul.

For Petitioner : Mr.S.Ramesh Kumar

For Respondent : Mr.A.R.Kannappan

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in I.D.O.P.No.185 of 2024 on the file of the Principal District Court, Thiruvallur and transfer the same to the file of the Family Court, Dindigul or any other competent Court at Dindigul.



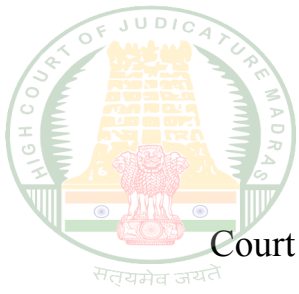
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2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 18.06.2023 at Punitha Viyakulamaatha Annai Church, Mettupatti, Dindigul District as per the Christian Rites and Customs. Out of the wedlock, no child was born.

3. Due to disputes and differences, the parties have separated, and the petitioner/wife has initiated the proceeding in I.D.O.P.No.246 of 2024 on the file of the Family Court, Dindigul seeking dissolution of marriage. The respondent/husband has initiated the proceeding in I.D.O.P.No.185 of 2024 on the file of the Principal District Court, Thiruvallur seeking divorce.

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/wife is now residing at Dindigul District to take care of her father, who is suffering from age ailments. The distance between Dindigul and Thiruvallur is around 430 Kms, and the petitioner/wife, being a lady, finds it very difficult to travel such a long distance for attending every



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Court hearing. Hence, she seeks transfer of proceeding in I.D.O.P.No.185 of 2024 from the file of the Principal District Court, Thiruvallur to the file of the Family Court, Dindigul or any other competent Court at Dindigul.

6. The learned counsel for the respondent has not raised any 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, Principal District Court, Thiruvallur is directed to transmit the entire records pertaining to the case, in I.D.O.P.No.185 of 2024, to the file of the Family Court, Dindigul within a period of three weeks from the date of receipt of a copy of this order, and on receipt of such



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records, the learned Judge, Family Court, Dindigul 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.

04.02.2025

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 Principal District Court,
Thiruvallur.

2.The Family Court,
Dindigul.

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