



Tr.CMP.(MD)No.754 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.02.2025

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.754 of 2024

and

C.M.P.(MD)No.18035 of 2024

Thamaraiselvi

.. Petitioner

Vs.

Kavin

.. 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.98 of 2024 on the file of the Sub Court, Kangeyam and transfer the same to the file of the Sub Court, Oddanchatram.

For Petitioner : Mr.D.Venkatesh

For Respondent : Mr.P.Rengaraju

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.98 of 2024 on the file of the Sub Court, Kangeyam and transfer the same to the file of the Sub Court, Oddanchatram.



Tr.CMP.(MD)No.754 of 2024

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 01.06.2022 at Salem 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.98 of 2024 on the file of the Sub Court, Kangeyam 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 is now residing at Dindigul under the care of her parents. The distance between Dindigul and Kangeyam is around 200 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.98 of 2024 from the file of the Sub Court, Kangeyam to the file of the Sub Court, Oddanchatram.



Tr.CMP.(MD)No.754 of 2024

6. The learned counsel for the respondent has raised only formal 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, Sub Court, Kangeyam is directed to transmit the entire records pertaining to the case, in H.M.O.P.No.98 of 2024, to the file of the Sub Court, Oddanchatram 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, Sub Court, Oddanchatram is directed to take the case on file and dispose of the same as expeditiously as possible in accordance with law.



Tr.CMP.(MD)No.754 of 2024

WEB COPY 10. Accordingly, this Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

06.02.2025

Index:Yes/No
Speaking Order :Yes/No
Neutral Citation:Yes/No
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Tr.CMP.(MD)No.754 of 2024

P. VADAMALAI, J.

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To

- 1.The Sub Court,
Kangeyam.
- 2.The Sub Court,
Oddanchatram.

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