



Tr.CMP.(MD)No.759 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.02.2025

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.759 of 2024

and

C.M.P.(MD)No.18167 of 2024

M.Princy Gnana Angelin

.. Petitioner

Vs.

R.Petter Premkumar

.. Respondent

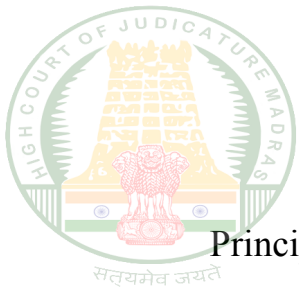
Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in I.D.O.P.No.215 of 2023 on the file of the Principal District Court, Erode and transfer the same to the file of the Principal District Court, Sivagangai.

For Petitioner : Mr.S.Muniyandi

For Respondent : No Appearance

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in I.D.O.P.No.215 of 2023 on the file of the



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Principal District Court, Erode and transfer the same to the file of the
Principal District Court, Sivagangai.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 12.10.2016 at Thai Mahal, Ram Nagar, Devakottai Town as per the Christian Rites and Customs. Out of wedlock, a female child, named Trinodov Agape and a male child, named Judarish Thiyodar, were born on 12.04.2018 and 10.06.2020 respectively.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding in I.D.O.P.No.215 of 2023 on the file of the Principal District Court, Erode seeking divorce.

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.



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WEB COPY 6. The learned counsel for the petitioner would submit that the petitioner/wife is now residing with her children at Devakottai, Sivagangai District. The distance between Sivagangai and Erode is around 300 Kms, and the petitioner/wife, being a lady, finds it very difficult to travel such a long distance for attending every Court hearing along with two children. Hence, she seeks transfer of proceeding in I.D.O.P.No.215 of 2023 from the file of the Principal District Court, Erode to the file of the Principal District Court, Sivagangai.

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.



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9. The learned Judge, Principal District Court, Erode is directed to transmit the entire records pertaining to the case in I.D.O.P.No.215 of 2023 to the file of the Principal District Court, Sivagangai 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, Principal District Court, Sivagangai 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.

03.02.2025

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,
Sivagangai.
- 2.The Principal District Court,
Erode.

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