



Tr.CMP.(MD)No.787 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.02.2025

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THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.787 of 2024

and

C.M.P.(MD)No.18960 of 2024

R.Aarthi

.. Petitioner

Vs.

A.Praveen

.. 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.155 of 2024 on the file of the Family Court, Pudukkottai and transfer the same to the file of the Subordinate Court, Melur.

For Petitioner : Mr.S.Ramu

For Respondent : Mr.A.Vadivel

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.155 of 2024 on the file of the Family Court, Pudukkottai and transfer the same to the file of the Sub Court, Melur.



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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 09.06.2024 at Thiruvappur Sri Muthumariyamman Temple in Pudukkottai as per the Hindu Rites and Customs.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding in H.M.O.P.No.155 of 2024 on the file of the Family Court, Pudukkottai 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 Melur, Madurai District under the care of her parents. The distance between Melur and Pudukkottai is around 175 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.155 of 2024 from the file of the Family Court, Pudukkottai to the file of the Sub Court, Melur.



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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, Family Court, Pudukkottai is directed to transmit the entire records pertaining to the case, in H.M.O.P.No.155 of 2024, to the file of the Sub Court, Melur 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, Melur is directed to take the case on file and dispose of the same as expeditiously as possible in accordance with law.



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

14.02.2025

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 Family Court,
Pudukkottai.

2.The Sub Court,
Melur.

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