



Tr.CMP.(MD)No.66 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 18.03.2025

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.66 of 2025

and

C.M.P.(MD)No.1800 of 2025

Ramya

.. Petitioner

Vs.

V.Palanisamy @ Ramesh

.. Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in I.A.No.1 of 2024 in Unnumbered H.M.O.P. of 2024 on the file of the Sub Court, Melur and transfer the same to the file of the Family Court, Tiruppur.

For Petitioner : Mr.R.Guruchakkravarthy

For Respondent : Mr.S.Veerapandi Selvaraj

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in I.A.No.1 of 2024 in Unnumbered H.M.O.P. of 2024 on the file of the Sub Court, Melur and transfer the same to the file of the Family Court, Tiruppur.



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WEB COPY 2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 08.09.2021 at Sri Balamurugan Temple, Pallapatti as per the Hindu Rites and Customs. Out of wedlock, a male child, named Dhashvanth, was born on 13.07.2022.

3. Due to disputes and differences, the parties have separated, and the respondent/husband, through his father as a power agent, has initiated the proceeding in I.A.No.1 of 2024 in Unnumbered H.M.O.P. of 2024 on the file of the Sub Court, Melur 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 with her child at Tiruppur under the care of her father. The distance between Tiruppur and Melur is around 200 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 the two and a



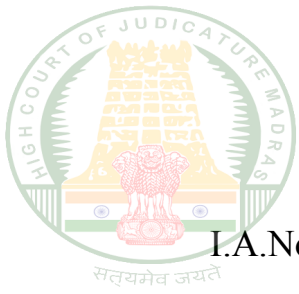
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half year old child. Hence, she seeks transfer of proceeding in I.A.No.1 of 2024 in Unnumbered H.M.O.P. of 2024 from the file of the Sub Court, Melur to the file of the Family Court, Tiruppur.

6. The learned counsel for the respondent would submit that instead of Family Court, Tiruppur, the proceeding in I.A.No.1 of 2024 in Unnumbered H.M.O.P. of 2024 may be transferred to the file of any Court between Melur and Tiruppur, preferably Sub Court at Oddanchatram.

7. In reply, the learned counsel for the petitioner would submit that by considering the convenience of the wife, the proceeding in I.A.No.1 of 2024 in Unnumbered H.M.O.P. of 2024 may be transferred from the file of the Sub Court, Melur to the file of the Family Court, Tiruppur, for which the learned counsel for the respondent would submit that the said proceeding may be transferred to the file of the Sub Court at Tiruppur, where the presence of either party is necessary only for indispensable hearings.

8. Considering the overall facts and circumstances of the case, this Court is inclined to allow this petition by transferring the proceeding in



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I.A.No.1 of 2024 in Unnumbered H.M.O.P. of 2024 from the file of the Sub Court, Melur to the file of the Principal Sub Court, Tiruppur.

9. The learned Judge, Sub Court, Melur is directed to transmit the entire records pertaining to the case, in I.A.No.1 of 2024 in Unnumbered H.M.O.P. of 2024, to the file of the Principal Sub Court, Tiruppur 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 Sub Court, Tiruppur is directed to take the case on file and dispose of the case 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.

18.03.2025

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,
Melur.
- 2.The Principal Sub Court,
Tiruppur.

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