



Tr.C.M.P.(MD)No.207 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED: 17.06.2026

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Tr.C.M.P.(MD)No.207 of 2026
and
C.M.P.(MD)No.4865 of 2026

A.Alagurani

**... Petitioner/
Respondent**

Vs.

K.Ramkumar

**... Respondent/
Petitioner**

Prayer : This Transfer Civil Miscellaneous Petition filed under Section 24 C.P.C., to withdraw the case in G.O.P.No.84 of 2023 on the file of the Additional District Court (Fast Track Court), Palani, Dindigul District and transfer the same to the file of Sub Court, Rajapalayam for adjudication.

For Petitioner : Mr.A.Balaji

For Respondent : No appearance



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ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the case in G.O.P.No.84 of 2023 from the file of the Additional District Court (Fast Track Court), Palani, Dindigul District, and transfer the same to the file of the Subordinate Court, Rajapalayam.

2. Despite service of notice on the respondent as well as the counsel appearing for the respondent before the trial Court, the respondent failed to enter into appearance.

3. Heard the learned counsel appearing for the petitioner.

4. It is not in dispute that the marriage between the petitioner and the respondent was dissolved vide decree for divorce on 03.11.2022. It is also not in dispute that due to their wedlock, they were blessed with a female child now studying 4th standard and is under the care and custody of the petitioner.

5. It is evident from the records that the respondent filed a petition



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in G.O.P.No.84 of 2023 seeking guardianship of his daughter and the same is pending on the file of the Additional District Court, Palani and that the petitioner has laid a maintenance claim in M.C.No.11 of 2023 and the same is pending on the file of the Judicial Magistrate No.I, Rajapalayam.

6. The learned counsel appearing for the petitioner would submit that the petitioner is residing at Rajapalayam, Virudhunagar District along with her minor daughter and finds it difficult to travel to Palani to attend the hearings.

7. As already pointed out, despite receipt of notice, the respondent has not turned up.

8. In the case of *N.C.V.Aishwarya Vs. A.S.Saravana Karthik Sha* reported in **2022 Live Law (SC) 627**, the Hon'ble Supreme Court has reiterated the position with generally, it is the wife's convenience, which must be looked at while considering the transfer petition under Section 24 of the Code of Civil Procedure and the relevant passage is extracted hereunder :

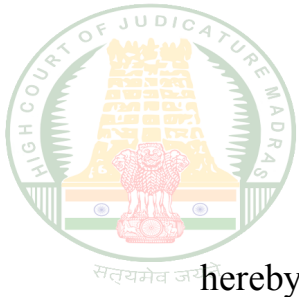


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“The cardinal principle for exercise of power under Section 24 of the Code of Civil Procedure is that the ends of justice should demand the transfer of the suit, appeal or other proceeding. In matrimonial matters, wherever Courts are called upon to consider the plea of transfer, the Courts have to take into consideration the economic soundness of both the parties, the social strata of the spouses and their behavioural pattern, their standard of life prior to the marriage and subsequent thereto and the circumstances of both the parties in eking out their livelihood and under whose protective umbrella they are seeking their sustenance to life. Given the prevailing socioeconomic paradigm in the Indian society, generally, it is the wife's convenience which must be looked at while considering transfer.”, the bench observed.”

9. Considering the above facts and circumstances and also taking note of the fact that the petitioner is residing at Rajapalayam, this Court is of the view that the case in G.O.P.No.84 of 2023 is ordered to be withdrawn from the file of the Additional District Court (Fast Track Court), Palani, Dindigul District, and transfer the same to the file of the Principal District Court, Srivilliputhur. Accordingly, the learned Additional District Judge (Fast Track Court), Palani, Dindigul District, is



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hereby directed to transmit the entire records in G.O.P.No.84 of 2023 to the file of the Principal District Court, Srivilliputhur, within a period of 10 days from the date of receipt of a copy of this order and on receiving the case bundle, the learned Principal District Judge, Srivilliputhur, is directed to take up the petition on file and proceed in accordance with law.

10. With the above direction, the Transfer Civil Miscellaneous Petition is allowed. Consequently, connected Miscellaneous Petition is closed. No costs.

17.06.2026

NCC :yes/No
Index :yes/No
Internet:yes/No
csm

To

1. The Additional District Judge
(Fast Track Court),
Palani, Dindigul District.
2. The Principal District Judge,
Srivilliputhur.
3. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
Tr.C.M.P.(MD)No.207 of 2026
and
C.M.P.(MD)No.4865 of 2026

Dated : 17.06.2026