



Tr.C.M.P.(MD)No.582 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2026

CORAM :

THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

Tr.C.M.P.(MD)No.582 of 2025

and

C.M.P.(MD)No.16357 of 2025

G.Ramya

.. Petitioner

Vs.

R.Rajaazhagan

.. Respondent

Prayer : Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code to pass an order to withdraw the case in H.M.O.P. No. 62 of 2025 on the file of the Principal Sub Court, Pudukkottai District and transfer to Sub Court, Ponneri, Thiruvallur District and pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner : Mr.R.Mukesh Kannah

For Respondent : No appearance



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ORDER

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This Transfer Petition is at the instance of wife. She seeks withdrawal of H.M.O.P.No.62/2025 from the file of Principal Sub Court, Pudukottai District and transfer the same to the file of Sub Court, Ponneri, Tiruvallur District.

2. Heard Mr.R.Mukesh Kannah, learned counsel for petitioner. Though notice was served on the respondent and his name was also printed in the cause list, none appeared on behalf of the respondent.

3. The petitioner completed a Diploma in Nursing at National Institute of Paramedical Science, Gummidipoondi. After completing diploma, she worked in a hospital, where the respondent was employed as an ambulance driver. During that time, they fell in love and initially their marriage was registered on 24.02.2022 at Keeramangalam Sub-Registrar Office. Subsequently, on 04.03.2022, petitioner and respondent got married as per Hindu rites and customs. Due to differences, parties have separated. The respondent/husband initiated proceedings in H.M.O.P.No.62 of 2025 for divorce before the Principal Sub Court, Pudukottai District.



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4. The learned Counsel for petitioner would submit that petitioner is now residing at her parents' house in Tiruvallur; her parents are taking care of the petitioner. Petitioner is required to be accompanied by her parents for every court hearings. Petitioner is unemployed and does not have financial strength to even bear the travel expenditure to attend hearing at Principal Sub Court, Pudukottai District, which is approximately 750 Kms (to and fro) from Thiruvallur. She would therefore request this Court to transfer the case from the Principal Sub Court, Pudukottai District to Sub Court, Ponneri, Tiruvallur District.

5. It is relevant to note that Parliament, while amending the Hindu Marriage Act, has incorporated Section 19(iii), permitting a wife to initiate a proceeding in a place where she is residing. This is an indication that convenience of the wife has to be given precedence by the Court. In line with this Parliamentary amendment, this Court and the Supreme Court have consistently held in matters of transfer, convenience of wife should be given a superior consideration than that of husband. As the distance between Tiruvallur and Pudukottai is considerable and since it will be difficult for the wife to travel for attending the Court, I am inclined to allow the petition seeking transfer as prayed for.



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6. In view thereof, H.M.O.P No.62 of 2025 pending on the file of Principal Sub Court, Pudukottai District, is hereby ordered to be withdrawn and transferred to the file of Sub Court, Ponneri, Thiruvallur District. The Sub Judge, Ponneri, Tiruvallur District, is directed to dispose of the aforementioned case expeditiously, preferably within a period of six months.

7. With the above observations, this Transfer Petition is disposed of. There is no order as to costs. Consequently, the connected miscellaneous petition is closed.

20.01.2026

Index:Yes/No
Speaking Order :Yes/No
Neutral Citation:Yes/No
gvn



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To
1.The Judge,
Principal Sub Court,
Pudukottai District.

2.The Judge,
Sub Court,
Ponneri,
Tiruvallur District.



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MOHAMMED SHAFFIQ, J.

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