



Tr.C.M.P.(MD)No.618 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2026

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Tr.C.M.P.(MD)No.618 of 2025
and
C.M.P.(MD)No.17960 of 2025

Kalarani

... Petitioner/
Respondent

Vs.

Ambrose

... Respondent/
Petitioner

Prayer : This Transfer Civil Miscellaneous Petition filed under Section 24 C.P.C., to withdraw the case in I.D.O.P.No.54 of 2025 on the file of Principal District and Sessions Court, Theni and transfer the same to Principal District and Sessions Court, Ramanathapuram.

For Petitioner : Mr.S.Krishnan

For Respondent : Mr.C.Susikumar

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the



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case from the file of the Principal District and Sessions Court, Theni, in I.D.O.P.No.54 of 2025 and transfer the same to the file of the Principal District and Sessions Court, Ramanathapuram.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.

3. It is not in dispute that the marriage between the petitioner and the respondent was solemnized on 20.05.2005 as per the Christian Rites and Customs and that subsequently there arose some misunderstanding and they are living separately. It is also not in dispute that the respondent filed a petition in I.D.O.P.No.54 of 2025 seeking divorce and the same is pending on the file of the Principal District and Sessions Court, Theni.

4. The learned counsel appearing for the petitioner would submit that the petitioner is residing at Kadaladi, Ramanathapuram District along with her two female children and finds it difficult to travel to Theni to attend the hearings.



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5. The learned counsel appearing for the respondent would submit that the respondent is working as a Government school teacher and that the trial Court may be directed to dispose of the case within a time stipulated and also the appearance of the respondent may be dispensed with.

6. 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 :

“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



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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."

7. Considering the above facts and circumstances and taking note of the fact that the petitioner is residing at Ramanathapuram, this Court is of the view that the case in I.D.O.P.No.54 of 2025 is ordered to be withdrawn from the file of the Principal District and Sessions Court, Theni, and transfer the same to the file of the Principal District and Sessions Court, Ramanathapuram. Accordingly, the learned Principal District and Sessions Judge, Theni, is hereby directed to transmit the entire records in I.D.O.P.No.54 of 2025 to the file of the Principal District and Sessions Court, Ramanathapuram, 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 and Sessions Judge, Ramanathapuram, is directed to take up the petition on file and proceed in accordance with law.

8. With the above direction, the Transfer Civil Miscellaneous Petition is allowed. The respondent is at liberty to approach the Principal



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District and Sessions Court, Ramanathapuram, for early disposal of the case and for dispense with his personal appearance and on such applications, the learned Principal District and Sessions Judge, Ramanathapuram, is directed to consider the same on merits and in accordance with law. Consequently, connected Miscellaneous Petition is closed. No costs.

18.03.2026

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

To

1. The Principal District and Sessions Judge,
Theni.
2. The Principal District and Sessions Judge,
Ramanathapuram.
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.618 of 2025
and
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Dated : 18.03.2026