



Tr.CMP(MD)No.766 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2026

CORAM:

THE HONOURABLE **MR.JUSTICE MOHAMMED SHAFFIQ**

TR.CMP(MD)No.766 of 2025

and

C.M.P.(MD)No.20591 of 2025

Parveen Esabella

...Petitioner

Vs

Michal Johnson

...Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of CPC, to withdraw the case in I.D.O.P.No.40 of 2025 on the file of Principal District Court, Ramanathapuram and transfer the same to Principal District Court, Tiruchirappalli.

For Petitioner : Mr.A.Vadivel

For Respondent : Mr.R.Rajamohan

ORDER

This transfer petition is at the instance of the wife. She seeks withdrawal of I.D.O.P.No.40 of 2025 from the file of Principal District Court, Ramanathapuram and transfer the same to Principal District Court, Tiruchirappalli.



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2. Heard Mr.A.Vadivel, learned Counsel for Petitioner and Mr.R.Rajamohan, learned Counsel for Respondent.

3. The marriage between Petitioner and Respondent was solemnized on 21.08.2020, according to Christian rites and customs. Out of wedlock, two children were born. Due to differences, parties have separated. Respondent/husband initiated proceedings in I.D.O.P.No.40 of 2025 for divorce before Principal District Court, Ramanathapuram. Pleading that wife is residing in Manapparai, Tiruchirappalli District and unable to travel from Manapparai to Ramanathapuram, she has moved this transfer petition.

4. Learned Counsel for Petitioner would submit that Petitioner is a practicing Doctor and she also expressed difficulty inasmuch as she may have to travel a distance of 300 Kms (to and fro) from Manapparai to attend each hearing at Principal District Court, Ramanathapuram. She would therefore request this Court to transfer the case from Principal District Court, Ramanathapuram to Principal District Court, Tiruchirappalli.



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5. Mr.R.Rajamohan, learned Counsel, on instructions from Respondent would submit that Respondent is a practicing doctor and is also facing similar difficulty in attending all the hearings personally. Therefore, he requests that Respondent's physical appearance may be dispensed with, except for essential hearings where he agrees to appear in person. Importantly, Respondent has no objection to transfer the case in I.D.O.P.No.40 of 2025 from Principal District Court, Ramanathapuram to Principal District Court, Tiruchirappalli.

6.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 Manapparai and Ramanathapuram 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.

7. In view thereof, I.D.O.P.No.40 of 2025 pending on the file of Principal District Court, Ramanathapuram, is hereby ordered to be withdrawn and transferred to the file of Principal District Court, Tiruchirappalli. The Principal District Court, Tiruchirappalli, is directed to dispose of the aforementioned case expeditiously, preferably within a period of six months.



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8. Principal District Court, Tiruchirappalli may not insist upon the physical presence of husband on all hearing dates and permit to appear through Video Conferencing. For non-essential and procedural hearings, he may be permitted to be represented through a counsel. He shall, however, present himself before the Court, when Trial Court passes a specific order for his appearance or when his presence is indispensable.

9. With the above observations, the Transfer Petition is **allowed**. There is no order as to costs. Consequently, connected Miscellaneous Petition is closed.

16.02.2026

Index: Yes/No
Web: Yes/No
Speaking/Non Speaking
Nsr

To:

1. The Principal District Court, Ramanathapuram.
2. The Principal District Court, Tiruchirappalli.



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MOHAMMED SHAFFIQ, J.

Nsr

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