



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2026

CORAM

THE HON'BLE MR.JUSTICE P.B. BALAJI

TR CMP No. 64 of 2026

and CMP.No.1593 of 2026

V.Priyanka

... Petitioner

Vs

N.Ram

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of CPC, to withdraw the H.M.O.P. No. 244 / 2025 on the file of Principal Sub Court, Chengalpattu and transfer to the Subordinate Court at Chidambaram.

For Petitioner(s): Mr.T.Ragothaman

For Respondent(s): M/s.C.Yamini

ORDER

The petitioner/wife seeks to withdraw H.M.O.P. No. 244 / 2025 from the file of Principal Sub Court, Chengalpattu and transfer to the Subordinate Court at Chidambaram

2. Heard the learned counsel for the parties.



3. According to the petitioner she resides at Chidambaram, Cuddalore district and she has expressed her difficulty to travel from Chidambaram to Principal Sub Court, Chengalpattu to attend the Court hearings and also has the additional duty of taking care of her minor child who is 3 ½ years old. Hence, the petitioner is unable to travel long distance of about 200 kms from Chidambaram to Chengalpattu.

4. The learned counsel for the respondent, on instructions, submitted that the petitioner has also residence at Vandalur which is only about 10 to 15 minutes away from the Sub Court, Chengalpattu and therefore, the petitioner will not be put to any inconvenience if the proceedings are continued to be tried before the Sub Court, Chengalpattu itself.

5. I have gone through the counter affidavit filed by the respondent and there is a clear admission in the counter affidavit that the petitioner/wife resides only at Chidambaram. Merely because the petitioner has another residence at Vandalur, it does not mean or indicate that the petitioner/wife resides at Vandalur.



6. In the light of the above, considering the inconvenience expressed by the petitioner and also taking into the account the fact that the custody of the minor child aged about 3 ½ years old, is with the petitioner/wife, I am inclined to accede the request of transfer made by the petitioner/wife and allow the transfer civil miscellaneous petition. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and the case in HMOP.No.244 of 2025 on the file of the Principal Sub Court, Chengalpattu is withdrawn and transferred to the file of the Subordinate Court, Chidambaram. The transferee Court shall not insist upon the physical presence of the respondent/husband, unless his presence is absolutely necessary for the purposes of chief/cross examination and not on all hearing dates and he shall be permitted to engage a counsel to represent him. There shall be no order as to costs. Connected Civil Miscellaneous Petition is closed.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

DPQ



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P.B.BALAJI, J.

DPQ

To

1. The Principal Sub Court, Chengalpattu
2. The Subordinate Court at Chidambaram.

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