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TR CMP No. 133 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-07-2026

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

**TR CMP No. 133 of 2026
and CMP No.3520 of 2026**

1. A. Shakila Banu
W/o Mohammed Riza, No 284, Gandhi
Road, Next To Sai Atm, Arni,
Thiruvannamalai 632 301.

Petitioner(s)

Vs

1. A. Mohammed Riza
S/o Abdul Gafoor, Abdul Regency, Flat No
T3, No 10/23, Rangarajapuram 1st St,
Srinagar Colony, Saidapet, Chennai 600
015

Respondent(s)

Petition filed under Section 24 of Civil Procedure Code to withdraw the case of divorce proceedings in O.S.No.286 of 2021 on the file of II Additional Family Court at Chennai filed by the respondent against the petitioner and to be transferred to Family Court, Tiruvannamalai.

For Petitioner(s): Sunil Kumar R

For Respondent(s): Mr.G.Sudangan



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ORDER

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The petitioner/wife has filed the present petition seeking transfer of O.S.No.286 of 2021 pending on the file of II Additional Family Court, Chennai to Family Court, Tiruvannamalai.

2. According to the petitioner, she is a resident of Thiruvannamalai and she is having custody of two minor children and therefore expressing inconvenience to attend the proceedings initiated by the respondent/husband before the Family Court at Chennai, the present transfer request has been made.

3. Learned counsel for the respondent would however state that the petitioner has approached this Court with unclean hands and made false claims as if she is having the custody of the minor children. In support of the said contention, learned counsel for the respondent has relied on an additional typed set of papers to evidence the factum of the children studying in a School of Chennai which implies that the custody of the children is only with the respondent/husband. Learned counsel would further state that a Guardian Original Petition in G.O.P.No.2082 of 2022 has also been filed by the respondent/husband and the same is pending before the Family Court at Chennai and in respect of the said GOP No.2082 of 2022, no transfer request is made. Learned counsel



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additional contend that the suit is now ripe for arguments and there is no necessity for the petitioner to physically appear.

4. In the light of the above, I do not see any merit in this petition. Moreover. As contended by the learned counsel for the respondent and not disputed by the learned counsel for the petitioner, the trial in the suit is already over and what remains is only arguments to be advanced on either side, for which, the presence of the petitioner/wife is not necessary and it is only her counsel is going to advance arguments.

5. It is always open to the petitioner to watch the arguments through Video Conference as well if necessitated.

6. I do not find any merit in this petition. Tr.C.M.P.No.133 of 2026 is dismissed. There shall be a direction the II Additional Family Court, Chennai to dispose of O.S.No.286 of 2021 on merits and in accordance with law on or before 31.08.2026. No costs. Consequently, connected miscellaneous petition is closed.

09.07.2026

sr

Index:yes/no

Website:yes/no

Speaking Order/Non-speaking Order



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P.B.BALAJI.,J

sr

To

- 1.The II Additional Family Court, Chennai
2. The Family Court, Thiruvannamalai

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