



WEB COPY

TR CMP. No.528 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2026

CORAM

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

**TR.CMP. No.528 of 2025
and CMP. No.13039 of 2025**

D.Umamageshwari

..Petitioner(s)

Vs

V.Pradeepkumar

..Respondent(s)

PRAYER: This Transfer Civil Miscellaneous Petition is filed under Section 24 of the CPC, to withdraw the HMOP No.18 of 2023 on the file of the Principal Subordinate Court, Kancheepuram and transfer the same to Family Court, Thanjavur by appreciating the above said acts and circumstances of the case.

For Petitioner(s): Mr.R.Sathishkumar

For Respondent(s): No Appearance

ORDER

The Petitioner is the wife seeking transfer of proceedings in HMOP. No.18 of 2023, on the file of the Principal Sub Court, Kancheepuram to the Sub Court, Thanjavur.

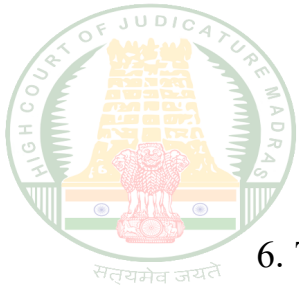
2. Heard learned counsel for the petitioner.



3. Despite attempts to be made for effective service on the respondent and also subsequent to the direction issued by this Court, the learned counsel appearing for the respondent before the Sub Court has been served and Affidavit of Service has also been filed. The name of the counsel for the respondent is also printed in today's cause list. However, the respondent has not chosen to appear either in person or through Counsel. Hence, the respondent is called and set exparte.

4. The learned counsel for the petitioner submit that the petitioner's grievance is that she is unable to travel 340 kms to attend the proceedings before the Principal Sub Court, Kancheepuram. She has sought for transfer to the Family Court, Thanjavur, where the petitioner is residing. Despite knowledge of the transfer request made by the petitioner, the respondent has not chosen to engage a Counsel and appear and contest the matter.

5. The grievance of the petitioner is just and reasonable, the petitioner cannot travel alone and cover a distance 340 kms for attending the proceedings before the Principal Subordinate Court, Kancheepuram, she come early and she come back in the next day after the hearing, which was seriously inconvenience to the petitioner/wife. She may also take a person to accompany along with her, since she may have to stay two or three nights outside of her home in Thanjavur.



6. The learned counsel for the petitioner states that non appearance of the petitioner/wife set exparte and set aside application has been allowed recently before the interim stay was granted by this Court in the above Petition and therefore, pleadings are yet to be completed. In the light of the above, it is made clear that the Family Court, Thanjavur shall not insist on the physical presence of the petitioner and the respondent who may be permitted to be represented by their Counsel, ordinarily, except where their physical presence is necessary for the purposes of trial (examination of chief and cross).

6. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and HMOP No.18 of 2023 on the file of the Principal Subordinate Court, Kancheepuram is withdrawn and transfer the same to Family Court, Thanjavur. consequently, connected miscellaneous petition is also closed. No costs.

30-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

RKP



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P.B.BALAJI J.

RKP

To

- 1.The Principal Sub Judge, Kancheepuram.
- 2.The Family Court, Thanjavur.

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