



WEB COPY

TR CMP No. 949 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-07-2026

CORAM

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

**TR CMP No. 949 of 2025
and CMP.No.21529 of 2025**

Ananthi,
W/o.Senthilkumar, Residing at No.31, 4th Street,
Pudhu Nagar 1st Plot, Kanuvapet, Villianur,
Puducherry-605 110.

..Petitioner

Vs

Senthilkumar,
S/o.Koothan, No.54/25, Kumarakattalai Street,
Koranadu, Mayiladuthurai Town, Mayiladuthurai
District, Tamil Nadu -609 003.

..Respondent

Prayer: This Petition has been filed under section 24 of CPC., praying to pass an order for withdrawal of H.M.O.P.No.95/2020 which is pending on the file of Honourable Principal Subordinate Judge, Mayiladuthurai, Mayiladuthurai District and transfer the same to the file of Honourable Family Court at Puducherry and to pass such further or other orders as this Honourable Court may deems fit and proper in the circumstances of the case in the interest of justice and thus render justice.

For Petitioner:

M.Gnanasekar

For Respondent:

M/s.K.Bommuraj



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ORDER

This Transfer Civil Miscellaneous Petition has been filed praying to withdraw H.M.O.P.No.95 of 2020, which is pending on the file of the learned Principal Subordinate Judge, Mayiladuthurai, and transfer the same to the file of the learned Family Court at Puducherry.

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

3. The request for the transfer of HMOP.No.95 of 2020 is made on the ground that the respondent/husband initiated the proceedings at the place of his residence, namely before the Principal Sub Court, Mayiladuthurai. However, the petitioner is a resident of Puducherry and is unable to travel four hours, one way, to attend the proceedings before the Principal Subordinate Court, Mayiladuthurai. The petitioner also contended that she is blessed with a minor male child aged 7 ½ years, and it would be difficult for the petitioner to leave the child for the purpose of attending the proceedings before the Subordinate Court, Mayiladuthurai. The request for transfer is vehemently opposed by the respondent/husband, who has filed a counter affidavit.



4. The learned counsel for the respondent would state that presently the petitioner is appointed as a Guest Lecturer and is employed at Tiruvarur, and she does not reside in Puducherry. He would also bring to my notice that HMOP.No.95 of 2020 has been pending for more than six years and is, in fact, on the verge of conclusion. According to the learned counsel for the respondent, the respondent's evidence-in-chief and cross-examination have already been completed and what remains is only the examination of the petitioner/wife. He would therefore state that it would be really inconvenient for the parties if transfer of this H.M.O.P. is ordered at this belated juncture. In the counter affidavit, the respondent/husband has specifically stated that the petitioner is appointed and working as a Guest Lecturer at Thiru.Vi.Ka.Government Arts College, Tiruvarur, and therefore, Mayiladuthurai being closer than Puducherry, the petitioner would not be put to any inconvenience if the proceedings are concluded before the Sub Court, Mayiladuthurai.

5. The learned counsel for the petitioner would further contend that, though certain allegations have not been mentioned in the Transfer CMP, according to the petitioner, the respondent wields a lot of influence before the Sub Court, Mayiladuthurai, and is a close acquaintance of the President of the Bar Association. The petitioner apprehends that she will not get a fair hearing if the proceedings are conducted before the Sub Court, Mayiladuthurai. Similar allegations have been made by the respondent/husband that when the



respondent was travelling in Villianur, Puducherry, his mother-in-law and sister-in-law namely, the mother and sister of the petitioner, abused him, in respect of which a police complaint has already been lodged.

6. Admittedly it is seen that there is a lot of bad blood between the parties, and hence, in the interest of both the parties it would be desirable to conduct and conclude the proceedings before a neutral Court. In the light of the above, and considering that the respondent himself as stated that the petitioner is now employed as a Guest Lecturer at Tiruvarur, Government Arts College, I am inclined to transfer HMOP.No.95 of 2020 from the file of the Principal Sub Judge, Mayiladuthurai to the file of the Principal District Court, Tiruvarur.

7. The presence of the respondent/husband shall not be insisted on all hearing dates. The petitioner/wife shall co-operate for letting in evidence on her side and for expeditious disposal of the HMOP.

8. Considering that the Original Petition was filed by the respondent/husband even in the year 2020 and has been pending for over six years, now the learned Principal District Judge, Tiruvarur is directed to dispose of HMOP.No.95 of 2020 within a period of four months from the date of receipt of a copy of this order.



9. Accordingly, this Transfer Civil Revision Petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MPA

To

1. The Principal Subordinate Judge, Mayiladuthurai.
2. The Section Officer, VR Section, High Court, Madras.



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P.B.BALAJI, J.

MPA

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