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TR CMP No. 910 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-07-2026

CORAM

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

**TR CMP No. 910 of 2025 and
CMP No.20829 of 2026**

A.Priya, W/o. Krishnamurthy, D/o. Anbazhagan,
Door No. 4/265, South Street, Nakka Salem
Village, Aalathur Taluk, Perambalur District.
Currently at No. 23, Back Light Moons Hostel,
Chokkalingam First Street, AG DMS,
Tennampet, Chennai 018

..Petitioner(s)

Vs

R.Krishnamoorthy, S/o. Ramakrishnan,
Sakthivel Mill Building, Vinayaga Street,
Vanchiyaapuram Division, Suleeswaranpatti Post,
Pollachi Taluk, Coimbatore Dist.

..Respondent(s)

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of CPC to withdraw the petition for divorce filed by the respondent in H.M.O.P. No. 191 of 2024 pending on the file of Subordinate Judge, Pollachi and transfer the same to the file of Family Court at Chennai.

For Petitioner(s): Mr. R.Veeramani

For Respondent(s): Mr. S.Arul Selvan



ORDER

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This Transfer Civil Miscellaneous Petition has been filed to withdraw the petition for divorce filed by the respondent in H.M.O.P. No. 191 of 2024 pending on the file of Subordinate Judge, Pollachi and transfer the same to the file of Family Court at Chennai.

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

3. Pursuant to the order dated 13.07.2026, with the useful intervention and counselling of the advocates appearing for the both parties here, the petitioner/wife has been able to enjoy interim visitation rights with her minor son, aged 10 years on the last Saturday as well as Sunday.

4. Today, the counsel for the petitioner report that visitation rights over the last weekend went of peacefully.

5. The learned counsel for the petitioner states that the petitioner is working as a Dean in a women's hostel, earning a meagre sum of Rs.10,000/- and she is not in a position to go over to the sub Court, Pollachi to attend the proceedings, initiated by the respondent seeking dissolution of marriage.



6. I have also gone through the affidavit filed in support of the transfer petition. Except stating that the petitioner is not earning sufficiently and she is unable to go over to attend the proceedings at Pollachi from Chennai, no other reasons are set out for transfer in the petition.

7. The learned counsel respondent, on instructions, states that the respondent is willing to fund the entire travel and accommodation costs of the petitioner, in the event of the petitioner being required to be present for the hearings to attend the proceedings in HMOP NO.191 of 2024 before the Sub Court, Pollachi.

8. In fact, whenever the petitioner attends the proceedings, it will also be an occasion for the petitioner to exercise her visitation rights over the minor son, aged 10 years. Hence, I am not inclined to entertain this transfer civil miscellaneous petition

9. Accordingly, this transfer civil miscellaneous petition is dismissed with the following directions:-

i) HMOP No. 191 of 2024 on the file of Sub Court, Pollachi shall be posted on the first and third Saturdays alone, to enable the petitioner to come over to Sub Court, Pollachi and in the event of she appearing in person, then the respondent/husband shall pay a sum of Rs.6,000/- for every visit, since the



petitioner will have to stay over night and also enjoy the visitation rights and interact with her minor son.

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ii) The petitioner shall be entitled to have interim custody of the minor son, aged 10 years on the next day of the hearing, which should be a Sunday between 10.00 a.m. and 4.00 p.m., provided, the petitioner appears in person.

iii) For each and every appearance of the petitioner before the Sub Court, Pollachi, the respondent shall pay a sum of Rs.6,000/- to the petitioner and this would adequately take care of her grievances, which have been expressed in the Transfer petition.

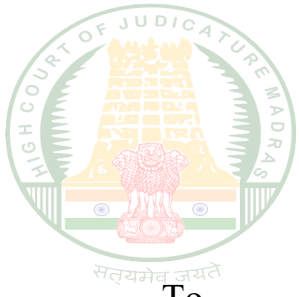
iv) It is also open to the petitioner, in the event of she not being in a position to go over personally, to engage the services of the Advocate to represent her, apart from also appear through video conferencing. However, it is made clear that in the event of the petitioner not going in person to attend the proceedings, she will waive the benefit of the visitation right on the ensuing Sunday.

There shall be no order as to costs. Connected miscellaneous petition is closed.

21-07-2026

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

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The Subordinate Judge, Pollachi.



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P.B.BALAJI, J.

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