



Tr.CMP(MD).No.508 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **28.01.2026**

CORAM :

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

Tr.CMP(MD).No.508 of 2025

and

CMP(MD).No.14092 of 2025

M.Shaarmila

... Petitioner

VS.

U.K.Adhavan

... Respondent

PRAYER: Transfer Civil Miscellaneous Appeal filed under Section 24 of Civil Procedure Code, to pass an order to withdraw the case in H.M.O.P.No.977 of 2025 before the Honourable II Additional Principal Judge, Family Court, Chennai and transfer the same to the file of the Honourable Family Court, Theni, Theni District and thus render justice.

For Petitioner : Mr.G.Anto Prince

For Respondent : Mr.Henri Tiphagne

ORDER

This Transfer Petition is at the instance of wife. She seeks withdrawal of HMOP.No.977 of 2025 from the file of II Additional Principal Judge, Family Court, Chennai and transfer the same to the file of Family Court, Theni, Theni District.



Tr.CMP(MD).No.508 of 2025

2. Heard, Mr.G.Anto Prince, learned Counsel for the Petitioner and

Mr.Henri Tiphagne, learned Counsel for the respondent.

3. It is submitted by the learned Counsel for petitioner that the marriage between the petitioner and respondent was solemnized on 28.08.2008 at Vasantha Mahal, Theni, Theni District, according to Hindu rites and customs and the same was registered in Sl.No.380 of 2009 before the Marriage Registrar, Kodambakkam, Chennai. It is submitted that the respondent is a TV host, anchor and mimicry artist and he hosts various programmes in Tamil Television channels. It is further stated that out of the wedlock, they were blessed with a female child namely Ms.Sadhana Aadhavan, who is presently studying in Class X at Vidyodaya School, T.Nagar, Chennai. Due to differences, the petitioner had left her matrimonial home sometime in 10.10.2024.

4. The learned Counsel for petitioner submitted that the respondent had thereafter married Mrs. Karuna Vilasini, and a child was born to the respondent and Mrs.Karuna Vilasini. According to the petitioner, it amounts to bigamy and a criminal complaint was lodged and the same



Tr.CMP(MD).No.508 of 2025

was registered in Cr.No.27 of 2025 for offences punishable under sections 85, 49, 296(b) and 351(2) of BNS, 2023. In the meanwhile, respondent filed a petition for divorce before II Additional Principal Judge, Family Court, Chennai in H.M.O.P.No.977 of 2025. In such circumstances, petitioner had filed this Transfer Petition on the premise that she has to travel from Theni to Chennai for a distance of about 500 kilometers, which takes nearly 12 hours. She further states that she has no independent source of income and she is fully dependent on her aged parents, who are surviving on pension. Each trip to Chennai costs around Rs. 2,500/-, which, according to the petitioner, she can ill afford. Petitioner also submits that she is required to be accompanied by her parents for every court hearings; her parents are aged persons and they are suffering from age related ailments.

5. Learned counsel for the respondent, on the other hand, would submit that this petition is a "bundle of lies", and that both petitioner as well as respondent are residing at Chennai and this transfer petition is only meant to harass the respondent. In support of his contention, he would refer the following:



Tr.CMP(MD).No.508 of 2025

WEB COPY

a) Even in the affidavit filed in this transfer petition at para.4, it is stated that the petitioner's daughter Ms.Sadhana Aadhavan is studying class X at Vidyodaya School, T.Nagar, Chennai

b) Special Intensive Revision (SIR) voter list, would show as follows:

சட்டமன்ற தொகுதி எண் மற்றும் பெயர் : 24 தியாகராயநகர்
பிரிவு எண் மற்றும் பெயர் 2-கோடம்பாக்கம் புதிய வாட்டு எண்.132,
பாஸ்கரா தெரு ஷேர்கான் தோட்டம் 1வது தெரு
221 : IORO799031

பெயர்	: ஷார்மிளா
கணவர் பெயர்	: ஆதவன்
வீட்டு எண்	: 6
வயது	: 41
பாலினம்	: பெண்.

c) Petitioner had paid electricity bill for her residence at Chennai i.e., Flat No.G428, Temple Wave Apartment, Fourth Floor, Kundrathur Main Road, Vazhuthalambedu, Kundrathur, Chennai for the period from January 2025 to December 2025.

d) The copy of passport would again show that the petitioner is a resident of Chennai.



Tr.CMP(MD).No.508 of 2025

e) In the petition filed by the respondent herein under Section 13(1) (ia) of Hindu Marriage Act, petitioner's residence was shown as G-Block, No.428, IV Floor, Amarprakash Temple Waves, PKV Mahanagar Road Extn., Tiruneermalai Road, Kundrathur, Chennai-600 069 and service has also been completed.

6. He would then point out that even the documents submitted by the petitioner in support of her contention that she is residing at Theni District would show that, admittedly, the petitioner is residing at Chennai, as is evident from recital in the rental agreement, wherein, the petitioner has stated that she is residing at No. 428, G-Block, Amar Prakash Temple Waves, Thirumudivakkam, Kundrathur, Chennai-600 069. He would thus submit that the averment in the Transfer petition that petitioner is a resident of Theni District is wholly false and incorrect.

7. Now, coming to the aspect that petitioner does not have any independent source of income, it was pointed out by the learned counsel for the respondent that petitioner is running the following institutions:



Tr.CMP(MD).No.508 of 2025

a) Brain Park Learning Concepts, Old No.56, New No.56/133, Avinash Apartment, Central Avenue, Tailors Estate, Rangarajapuram Main Road, Kodambakkam, Chennai-24. The said institution has 15 different branches/franchise across Tamil Nadu.

b) Montessori Teacher Training Program of Brain Park Learning Concepts.

c) Sprout House International Pre-school, No.4, Rajaram Film Directors Colony, Shakthi Nagar, Kodambakkam, Chennai-600024.

d) Battle Born Sports – Pre School, No.56/133, Avinash Apartment, Kodambakkam, Chennai.

8. The learned Counsel for respondent would also submit that petitioner is part of Flat Owners Welfare Association as evident from the screenshot of WhatsApp message, wherein, petitioner is shown to be owner of Flat No.G-428, Temple Waves Apartment, PKV Maha Nagar, Kundrathur, Chennai-69. The PAN card details of the petitioner also shows that she is residing at Chennai. Hence, he prays this Court to dismiss the present transfer petition. This Court agrees that it is imperative for a party to be entitled to relief ought to come with clean hands.



Tr.CMP(MD).No.508 of 2025

9. A perusal of the records would show that the petitioner is a resident of Chennai. The present transfer petition is a bundle of incorrect facts and contradictions. That being the case, there is no reason to entertain this transfer petition. Though the law relating to transfer petitions, priority is to be given to convenience of wife. However, this is a case which is a bundle of incorrect and false facts. In that view of the matter, this Court is not inclined to entertain this present transfer petition and inclined to dismiss.

10. Accordingly, the present Transfer Petition is dismissed. There is no order as to costs. Consequently, connected Miscellaneous Petition is closed.

28.01.2026

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
gvn



WEB COPY



Tr.CMP(MD).No.508 of 2025

MOHAMMED SHAFFIQ, J.

gvn

To:

The II Additional Principal Judge,
Family Court, Chennai.

Order made in
Tr.CMP(MD)No.508 of 2025

28.01.2026