



Tr.C.M.P.No.31 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

Tr.C.M.P.No.31 of 2025

and

C.M.P.No.747 of 2025

Saraswathi M.

... Petitioner

Vs.

Harshavardhanan D.

... Respondent

Prayer : Transfer Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw H.M.O.P.No.642 of 2024 from the file of the Subordinate Court, Alandur and transfer the same to the I Additional Family Court, Chennai, to be tried along with the cause of action in F.C.O.P.No.4277 of 2024.

For Petitioner : Mr.M.Jagadheesan

For Respondent : Mr.S.Rajasekar

ORDER

This Transfer Petition is filed by the wife seeking withdrawal of H.M.O.P.No.642 of 2024 from the file of the Subordinate Court, Alandur



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and transfer the same to the I Additional Family Court, Chennai, to be tried along with F.C.O.P.No.4277 of 2024.

2.Heard the learned counsel for the petitioner and perused the materials available on record.

3.The petitioner married the respondent on 21.11.2021. Since their matrimonial life ran into rough weather, the respondent / husband initiated proceedings in H.M.O.P.No.642 of 2024 to dissolve the marriage solemnized between the petitioner and the respondent on 21.11.2021 before the Subordinate Court, Alandur. The petitioner / wife initiated proceedings in F.C.O.P.No.4277 of 2024 before the I Additional Family Court, Chennai, for restitution of conjugal rights. It is the contention of the petitioner that she is residing in Adyar and she is unable to attend both the cases in two different Courts on different hearing dates. Hence, she has moved the present transfer petition.

4.This Court and the Supreme Court have consistently held in the matters of transfer that the convenience of the wife should be given a



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superior consideration than that of the husband. Further, the learned counsel for the respondent/husband submits that the respondent / husband has no objection for the transfer of the proceedings. Therefore, this Court is inclined to transfer the proceedings.

5.Accordingly, H.M.O.P.No.642 of 2024 is withdrawn from the file of the Subordinate Court, Alandur and transferred to the I Additional Family Court, Chennai. The I Additional Family Judge, Chennai, on transfer of proceedings, shall try it along with F.C.O.P.No.4277 of 2024 filed by the petitioner.

6.Accordingly, this Transfer Petition is ordered. No costs. Consequently, connected miscellaneous petition is closed.

10.06.2025

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Internet : Yes

Index : Yes / No

Speaking order / Nonspeaking order

Neutral Citation : Yes / No



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N. SATHISH KUMAR, J.

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To

- 1.The I Additional Family Judge,
Family Court, Chennai.
- 2.The Subordinate Judge,
Alandur.

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