



WEB COPY

Tr.C.M.P.No.89 of 2025
and CMP.No.1823 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-12-2025

CORAM

THE HONOURABLE DR. JUSTICE A.D.MARIA CLETE

**TR CMP No. 89 of 2025
and CMP.No.1823 of 2025**

M. Tharani

Petitioner

Vs

S.Kiran

Respondent

PRAYER

This Transfer Civil Miscellaneous Petition has been filed seeking to withdraw the HMOP No.91 of 2024 pending on the file of the Sub Court, Kangeyam and transfer the same to the Sub Court, Kodumudi.

For Petitioner(s): Mr. C. Ramaraj

For Respondent(s): Notice served- NA

ORDER

Heard.

2. This Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking withdrawal of HMOP No.91 of 2024 from the file of the Sub Court, Kangeyam and transfer of the same to the file of the Sub Court, Kodumudi.



3. The marriage between the petitioner and the respondent was solemnized on 22.05.2023 and they have a female child, K. Shre Vaishnavi, born on 27.08.2024. The petitioner states that she is presently residing at her parental house at Kodumudi Taluk, Erode District.

4. It is the grievance of the petitioner that the respondent has filed HMOP No.91 of 2024 before the Sub Court, Kangeyam and that compelling the petitioner to attend the proceedings at Kangeyam would cause hardship, particularly when she is taking care of the minor child and is dependent on her parents.

5. This Court, exercising power under Section 24 CPC, is required to consider whether transfer is necessary for the ends of justice. In matrimonial disputes, it is well settled that the convenience of the wife, particularly when she is residing with a minor child, deserves paramount consideration. In the present case, the petitioner is residing at Kodumudi, Erode District and has pleaded inconvenience in travelling to Kangeyam.

6. Therefore, no serious prejudice would be caused to the respondent, if the proceedings are transferred to the Subordinate Court at Kodumudi, whereas denial of transfer would result in avoidable hardship to the petitioner.

7. For the aforesaid reasons, this Court is inclined to allow the transfer



petition. Accordingly, Tr.C.M.P. No.89 of 2025 is allowed. HMOP No.91 of 2024 on the file of the Sub Court, Kangeyam, is withdrawn and transferred to the file of the Subordinate Court, Kodumudi. The District Munsif-cum-Judicial Magistrate, Kangeyam, shall transmit the entire records to the Subordinate Court, Kodumudi, within three (3) weeks from the date of receipt of this order and the Subordinate Court, Kodumudi shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. Interim stay granted by this Court on 29.01.2025 shall stand vacated and C.M.P. No.1823 of 2025 is closed. There shall be no order as to costs.

18-12-2025

Jai

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1. The Sub Court, Kangeyam.
2. The Sub Court, Kodumudi.



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Dr.A.D.MARIA CLETE, J.

jai

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