



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-07-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

TR CMP NO. 339 OF 2025

AND

CMP NO. 7545 OF 2025,

1. S.Vidya,
W/o.K.Kurunthappakumar, 17,
Shantha Nagar, 3rd Street, 2nd Floor,
Sealiyur, Chennai- 600073.

Petitioner

Vs

1. K.Kurunthappakumar,
S/o.Karuppiah, No.1, 3rd Main Road,
Dandeeswaram, Velacherry, Chennai-
600042.

Respondent

Prayer: This Transfer Civil Miscellaneous petition is filed under Section 24 of the Code of Civil Procedure, praing to with draw the petition in HMOP.No.51 of 2022 from the file of the Sub Court, Tambaram and transfer to Family Court Chennai to try the same.

For Petitioner: Mr.S.Sathiadoss

For Respondent: No appearance

ORDER

The Transfer Civil Miscellaneous petition No. 339 has been filed by the wife, and [HMOP.No.51](#) of 2022 has been filed by the petitioner's wife for annulment of marriage. The said original petition is in a part heard stage and



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it appears that there was some altercation between the court staff and the petitioner's counsel, as a result of which, the learned Sub Judge has stepped in to resolve the issue, and this has led to a complaint being lodged by the petitioner before the learned Principle District Judge, Chengalpattu. The entire records have also been sent to the Principal District Judge, Chengalpattu and when the petitioner undertook to withdraw the complaint against the learned Sub Judge, the entire case bundles were return back to the Sub Court, Tamabaram.

2. The learned counsel for the petitioner further states that, in this backdrop, it is not appropriate for the petitioner's wife to pursue the case before the same court, as it caused embarrassment to both the petitioner and the presiding officer. He would further contend that the respondent is residing in Velachery, Chennai, and the petitioner is residing in Selaiyur; therefore, it would be convenient for both parties if the present case is transferred to the Family Court, Chennai.

3.I have considered the submission advanced by the learned counsel for the petitioner.

4.When the petitioner as well as the learned counsel complained before the learned Principal District Judge, Chengalpattu as against the staff of Sub Court, Tamabaram and though the complaint has been withdrawn



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subsequently, the petitioner genuinely apprehends that she cannot get fair treatment before the very same Court having made allegations against the staff as well as the Presiding Officer. Apart from that considering the fact that both parties are residing in Chennai, it will be convenient for the parties to attend the Family Court, Chennai instead of Sub Court, Tambaram, apart from saving the Sub Judge also from potential embarrassment.

5. In the light of the above, this Transfer Civil Miscellaneous Petition is allowed. The case in [HMOP.No. 51 of 2022](#) is hereby withdrawn from the file of the Subordinate Court, Tamabaram and transferred to the file of the Principal Family Court, Chennai to be taken up by the Principal Judge or by any of the Additional Family Courts at Chennai, at the discretion of the Principal Judge, considering the pendency of cases before the various Courts in Chennai. There shall be no order as to costs. The connected civil miscellaneous petition is closed.

01-07-2025

jrs

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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1. The Sub Court, Tambaram.
 2. The Principal Family Court, Chennai.
 3. K.Kurunthappakumar
- S/o Karuppiyah, No.1 3rd Main Road,
Dandeeswaram, Velachery, Chennai-600 042



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P.B.BALAJI.,J.

sr

Tr.CMP No.339 of 2025

P.B.BALAJI.,J.

At the instance of the learned counsel for the petitioner, the matter has been taken up today under the caption “for being mentioned”.

2.The matter was disposed of on 01.07.2025. It is brought to the notice of this Court that in the order, a typographical error has crept in and the same needs to be corrected.

3. Registry is directed to carry out the following correction and issue fresh copy to the parties.

At Paragraph Nos.1 and 2 of the order, the words “petitioner's wife” shall be replaced as “**petitioner/wife**”.

4. The rest of the order shall stand unaltered.

17.07.2025

sr