



Tr.C.M.P.No.260 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2025

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

Tr.C.M.P.No.260 of 2024

and

C.M.P.No.5498 of 2024

Muthuselvi

... Petitioner

Vs.

Raja

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, praying to pass an order withdraws the G.W.O.P.No.5 of 2024 pending before the Principal District Court at Cuddalore and transfer the same to the Principal District Court at Perambalur.

For Petitioner : Mr.K.Karuppaiyamooppanar

For Respondent : Mr.S.Senthamizhan
for M/s.R.Chakkaravarthy

ORDER



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This Transfer Civil Miscellaneous Petition has been filed by petitioner/wife seeking transfer of G.W.O.P.No.5 of 2024 filed by the respondent/husband from the file of Principal District Court, Cuddalore to the file of Principal District Court, Perambalur.

2. Heard the arguments of learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.

3. According to the petitioner, she filed a petition for divorce against the respondent in H.M.O.P.No.8 of 2022 on the file of Subordinate Court, Tittagudi and the same is pending. In the meantime, the respondent filed G.W.O.P.No.5 of 2024 seeking custody of 3 years old female child before the Principal District Court, Cuddalore. It is stated that the child is now with parents of the petitioner at Kizhkalpundi Village, Tittagudi. Since the petitioner is now in care of her parents at Tittagudi Taluk, the petitioner seeks transfer of original petition filed by the respondent/husband to Principal District Court, Perambalur on the ground that she finds it very difficult to travel the long distance to Cuddalore for attending court



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proceedings in G.W.O.P.No.5 of 2024 filed by her husband.

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4. It is settled law that in cases involving matrimonial dispute, the preference shall be given to the convenience of the petitioner/wife.

5. In the case on hand, the petitioner/wife is having 3 years old female child and she expressed her difficulty in undertaking long travel to Cuddalore to attend each and every court hearings. Therefore, by taking into consideration the convenience of the petitioner/wife, this Court is inclined to order the above transfer civil miscellaneous petition as prayed for.

6. Since the divorce petition in H.M.O.P.No.8 of 2022 filed by the petitioner/wife is pending on the file of Subordinate Court, Tittagudi, the same can also be transferred to Principal District Court, Perambalur, so that both the petitions can be heard together simultaneously. Hence, this Court is inclined to withdraw H.M.O.P.No.8 of 2022 from the file of Subordinate Court, Tittagudi and transfer the same to the file of Principal District Court, Perambalur.

7. Accordingly, the Transfer Civil Miscellaneous Petition is allowed,



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the petition for custody of child filed by the respondent/husband in G.W.O.P.No.5 of 2024 pending on the file of the Principal District Court, Cuddalore is withdrawn and transferred to the file of Principal District Court, Perambalur, for simultaneous hearing with H.M.O.P.No.8 of 2022. No costs. Consequently, connected civil miscellaneous petition is closed.

28.10.2025

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
dm



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To

1.The Principal District Court,
Cuddalore.

2.The Principal District Court,
Perambalur.

Copy to

The Subordinate Court,
Tittagudi.



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S.SOUNTHAR, J.
dm

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