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Tr.C.M.P.No.333 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2025

CORAM:

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P. No.333 of 2024

and

C.M.P.No.6959 of 2024

S.Soosai Anitha (Aged 33),
D/o.Santhana Siluvai,
D.No.2/11, North Street,
Adaikalapuram,
Tiruchendur Taluk,
Thoothukudi District – 628 217.

... Petitioner

Vs.

A.Antony Pradeep (Age 37),
S/o.Asirvatharaj,
nd
No.11/1, 2 Cross Street,
Vedhachalam Nagar,
Mamallapuram,
Kancheepuram – 603 104.

... Respondent

PRAYER in TR.CMP.: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw and transfer the above I.D.O.P.No.452 of 2023 filed before the Family Court, Chengalpattu to the Family Court, Thoothukudi and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case and thus render justice.



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PRAYER in CMP.: Civil Miscellaneous Petition filed under Section 151 of the Civil Procedure Code, 1908 to stay all further proceedings in I.D.O.P.No.452 of 2023 on the file of the Family Court, Chengalpattu, pending disposal of the above Transfer Civil Miscellaneous Petition and thus render justice.

For Petitioner : Mr.D.Saikumaran.

For Respondent : Mr.J.Srinivasa Mohan.

ORDER

Heard

2. The petitioner–wife seeks transfer of I.D.O.P.No.452 of 2023, a petition for dissolution of marriage instituted by the respondent–husband on the file of the Family Court, Chengalpattu, to the Family Court at Thoothukudi.

3. The marriage between the parties was solemnised on 11.01.2016 at Adhisaya Arokiya Annai Aalayam, Adaikalapuram, Tiruchendur Taluk, according to Christian rites and customs. A female child was born in 23.01.2017 and resides with the petitioner. The respondent has filed I.D.O.P.No.452 of 2023 at Chengalpattu alleging cruelty and desertion.



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4. The petitioner resides at Adaikalapuram, Tiruchendur Taluk, Thoothukudi District, with the minor child. She asserts that she is unemployed, dependent on aged parents, is the primary caregiver of the child, and would have to undertake a journey exceeding twelve hours one way to attend the proceedings at Chengalpattu. She also expresses apprehension about travelling alone in view of the strained relationship.

5. The petitioner being the primary caregiver of a minor child and residing at Tiruchendur, requiring her to repeatedly travel from Tiruchendur side to Chengalpattu imposes substantial financial and physical hardship and undermines her ability to participate effectively.

6. Accordingly, Tr.C.M.P.No.333 of 2024 is allowed. I.D.O.P.No.452 of 2023 is withdrawn from the file of the Family Court, Chengalpattu and transferred to the file of the Family Court, Thoothukudi for disposal on merits and in accordance with law. The Family Court, Chengalpattu shall transmit the entire records in I.D.O.P.No.452 of 2023 to the transferee court within three weeks from the date of receipt of a copy of this order. Upon receipt, the Family Court, Thoothukudi shall dispose of the matter in accordance with law, as expeditiously as



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possible, uninfluenced by any observations made in this order. The interim stay granted by this court on 26.03.2024 shall stand vacated and the C.M.P.No.6959 of 2024 is closed. There shall be no as to costs.

09.12.2025

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Index : Yes/No

NCC : Yes/No

Speaking Order / Non-Speaking Order

To

1.The Family Court,
Chengalpattu.

2.The Family Court,
Thoothukudi.

DR. A.D. MARIA CLETE, J

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