



Tr.C.M.P.No.451 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2025

PRESENT:

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P. No.451 of 2024

and

C.M.P.No.9282 of 2024

Kasturi,
W/o.Murugan, D/o.Rajindran,
No.131/13-K, Sri Vidhya Ashramam,
Shankar Nagar, Hastampatti,
Salem – 636 007.

... Petitioner

Vs.

Murugan, Son of Maadhu,
No.2/413, Viludhupatti Village,
Menaci Post, Pappireddi Patti Taluk,
Dharmapuri District – 636 904.

... Respondent

PRAYER: : Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw the H.M.O.P.No.2 of 2023 on the file of the Sub-Court, Pappireddi patti and transfer the same to Family Court, Salem and pass such other orders which are deemed fit and necessary in the nature and circumstances of the case and thus render justice.

For Petitioner : Mr.K.S.Shangaramurali, Advocate.

For respondent : Mr.J.Pradeep, Advocate.



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ORDER

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Heard

2. This Transfer Civil Miscellaneous Petition is filed by the petitioner/wife under Section 24 CPC seeking withdrawal of H.M.O.P. No. 2 of 2023 on the file of the Sub Court, Pappireddipatti, Dharmapuri District and transfer of the same to the Family Court, Salem wherein M.C. No. 64 of 2023, pending between the same parties.

3. The petitioner–wife states that her marriage with the respondent was solemnised on 15.02.2019 and a male child was born on 06.01.2020. She alleges cruelty in the form of physical assaults under intoxication, demands to perform obscene acts based on pornographic videos, dowry-related taunts by the respondent's mother, and that she was driven out of the matrimonial home while pregnant and again on 02.07.2022 along with the minor child.

4. After failed attempts at reunion and police complaints by both sides, the respondent filed HMOP No. 2 of 2023 at Pappireddipatti for divorce on the ground



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of cruelty, whereas the petitioner has instituted MC No. 64 of 2023 before the Family Court, Salem, claiming maintenance for herself and the minor child.

5. The petitioner is presently residing at Salem with the minor child and asserts that she has no independent income, whereas the respondent is engaged in real-estate business, milk vending, cultivation and employment in a starch industry and frequently visits Salem. She pleads that repeated travel from Salem to Pappireddipatti for the divorce proceedings causes her serious financial and physical hardship and that the respondent will not be prejudiced if the case is tried at Salem.

6. Considering the totality of circumstances and it is in the interest of justice that this Court finds sufficient cause to exercise its power under Section 24 CPC. Accordingly, Tr.C.M.P. No. 451 of 2024 is allowed and it is ordered that H.M.O.P. No. 2 of 2023 on the file of the Sub Court, Pappireddipatti, Dharmapuri District shall be withdrawn and transferred to the file of the Family Court, Salem. The Sub Court, Pappireddipatti, Dharmapuri District shall transmit the entire records in H.M.O.P.No.2 of 2023 to the file of the Family Court, Salem within a period of three weeks from the date of receipt of a copy of this order and the Family Court,



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Salem shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. The interim order already granted by this Court on 25.04.2024 shall stand vacated and C.M.P. No.9282 of 2024 is closed. There shall be no order as to costs.

08.12.2025

mfa/ay

Index : Yes

NCC : Yes

Speaking Order / Non-Speaking Order

To

1.The Sub Court,
Pappireddipatti.

2.The Family Court,
Salem.



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DR. A.D. MARIA CLETE, J

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