



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

Tr.CMP.No.393 of 2025

& CMP.No.8853 of 2025

A.Durga @ Salomi

... Petitioner

Vs.

J.Alexraja

... Respondent

Prayer: The Transfer Civil Miscellaneous Petition filed under Section 24 r/w 151 of CPC, to withdraw I.D.O.P.No.1 of 2025, on the file of the Principal District Judge, Salem and transfer the same to the file of the Principal Family Judge, Chennai.

For Petitioner : M/s.Anbukarasi

For Respondent : Mr.R.Thamaraiselvan

ORDER

The Transfer Civil Miscellaneous Petition has been filed by the petitioner/wife to withdraw I.D.O.P.No.1 of 2025, on the file of the Principal District Judge, Salem and transfer the same to the file of the Principal Family Judge, Chennai.



WEB COPY

2. Heard the learned counsel on either side.

3. The petitioner/wife states that she resides at Chennai and she is unable to attend the hearings before the Principal District Court at Salem and expressing her genuine inconvenience, the petitioner has sought for transfer of the proceedings.

4. The learned counsel for the respondent/husband states that the allegations made in the transfer petition are being stoutly denied and there is no difficulty for the petitioner to attend the hearings at Salem since the Court is only a District Court where the presence of the petitioner is also not mandatory.

5. However, considering the settled legal position that in transfer of matrimonial matters, the Hon'ble Supreme Court as well as this Court have repeatedly held that the paramount consideration will have to be the convenience of the wife. In such view of the matter, I am inclined to transfer the proceedings.



WEB COPY

6. Accordingly, the Transfer Civil Miscellaneous Petition is ordered.

The case in I.D.O.P.No.1 of 2025 is withdrawn from the file of the Principal District Judge, Salem and transferred to the file of the Principal District Family Judge, Chennai, to be taken up either by the Principal Family Judge, Chennai, or assigned it to any other Additional Family Court, subject to the pendency of the cases before the Family Court at Chennai. The transferee Family Court shall not insist on the physical presence of the respondent/husband on all hearings, except where it is absolutely necessary. There shall be no order as to costs. Connected Civil Miscellaneous Petition is closed.

09.07.2025

ata

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

To

1. The Principal District Judge, Salem.
2. The Principal Family Judge, Chennai.

3/4



WEB COPY



P.B. BALAJI,J.

ata

Tr.CMP.No.393 of 2025
& CMP.No.8853 of 2025

09.07.2025