



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-09-2025

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CORAM

THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

TR CMP No. 473 of 2025

and C.M.P.No.11137 of 2025

ABIRAMI

W/o. Senthilrajan @ Vinod, D/o.
T.B.Krishnamurthy, 11/83, VOC Street,
Chidambaram, Cuddalore-608 001

..Petitioner

Vs

Senthilrajan @ Vinod
S/o. T.P.Ramalingam, Rep by his Power Agent
Mr.T.P.Ram,alingam, No.128E, Balakrishna Street,
ISA Colony, Vadalur, Kurinchipadi Taluk,
Cuddalore

..Respondent

PRAYER- The petition is filed under Section 24 of C.P.C. to withdraw the H.M.O.P.No.80 of 2022 transferred from the Honourable Family court, Cuddalore and transfer the same to the Honourable Sub Ordinate Court at Chidambaram, Cuddalore.

For Petitioner: M/s.M.K.Bhoopathy Rajan

For Respondent: No appearance

**ORDER**

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This Transfer Civil Miscellaneous Petition is filed to withdraw the H.M.O.P.No.80 of 2022 from the file of the Family court at Cuddalore and transfer the same to the Subordinate Court at Chidambaram, Cuddalore.

2. The learned counsel appearing for the petitioner/wife would submit that the respondent/husband, through power of attorney, has filed divorce petition in H.M.O.P.No.80 of 2022 on the file of the Family Court, Cuddalore. The petitioner is residing at Chidambaram along with her parents. The petitioner is an unemployed women and is totally depending on her parents. The petitioner has to travel both 50 Kms from Chidambaram to Cuddalore and it causes her to suffer from health problems and agitations. Due to her ill-health and high incurring medical expenses, the petitioner is unable to attend the proceedings of the Family Court at Cuddalore.

3. Heard the learned counsel for the parties and perused the materials available on record.



4. The principles regarding transfer petitions, more specifically in the matters of matrimonial cases are well settled through the decision of the Madurai Bench of Madras High Court in the ***TR.CMP(MD)No.108 of 2010, dated 03.03.2011 [Durga Vs. R.Mohan Ganesh]***, wherein it has been observed as below:-

"18.It is true that section 19 of the Hindu Marriage Act, has been amended by insertion of proviso of (iii)(a) to section 19. Of Course, this amended section 19(iii)(a) gives special preference to the wife to file a petition or defending the case of the husband before the Court within whose jurisdiction she resides. The intention of the legislator is to safe-guard the interest and rights of the women, who are being subjected to harassment and cruelty. But this special preference conferred under section 19(iii)(a) of the Hindu Marriage Act shall not be used to wreck vengeance on the husband. There must be a justifiable cause to select the jurisdiction of the Court where she resides."

5. In view of the facts and circumstances, the H.M.O.P.No.80 of 2022 pending on the file of the Family Court, Cuddalore stands transferred to the Subordinate Court at Chidambaram, Cuddalore.



6. Accordingly, this Transfer Civil Miscellaneous Petition No.473 of 2025 stands allowed and H.M.O.P.No.80 of 2022 pending on the file of the Family Court, Cuddalore is directed to be transferred to the Subordinate Court, Chidambaram, Cuddalore. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

23-09-2025

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

GSA

To

1.Senthilrajan @ Vinod

S/o. T.P.Ramalingam, Rep by his Power Agent

Mr.T.P.Ram,alingam, No.128E, Balakrishna Street,

ISA Colony, Vadalur, Kurinchipadi Taluk,

Cuddalore.

2.The Family Court,

Cuddalore.

3.The Subordinate Court,

Chidambaram, Cuddalore.



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M.JOTHIRAMAN, J.

GSA

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