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TR CMP No. 452 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2025

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

TR CMP No. 452 of 2025

and C.M.P.No.10536 of 2025

Saranya,
D/o. Venkatesan, No. 34, Kavanur Village,
Arakkonam Taluk, Ranipet District.

..Petitioner

Vs

B.Kamal
S/o. Balu, No. 17, Balavinayagar Street,
Addukkamparai, Mettupalayam, Vellore Taluk,
Vellore District.

..Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, praying to withdraw H.M.O.P.No.77 of 2024 on the file of the Principal Subordinate Court, Vellore and transfer the same to the file of the Subordinate Court, Arakkonam.

For Petitioner: Mr. A. Gopinath

For Respondent: Mr. G.Nirmal Krishnan



ORDER

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The Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking transfer of petition for divorce filed by the respondent/husband in H.M.O.P.No.77 of 2024 from the file of the Principal Subordinate Court, Vellore, to the file of the Subordinate Court, Arakkonam.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

3. According to the petitioner/wife, she is residing at Kavanur Village, Arakkonam Taluk and the respondent/husband wantonly filed a petition for divorce before the Court at Vellore just to harass the petitioner. She further stated that she has already filed a petition under Domestic Violence Act in D.V.C.No.8 of 2022 against the husband and his family members before the Judicial Magistrate's Court, Arakkonam.

4. From the facts narrated in the affidavit, it is clear that the petitioner's residence is 80 kilometers away from the Court at Vellore and the domestic violence case filed by the petitioner is pending on the file of the Judicial



Magistrate's Court, Arakkonam. In order to prosecute the said case, the respondent/husband has to travel to Arakkonam to attend the hearing.

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

6. By taking into consideration the inconvenience expressed by the petitioner/wife in undertaking a travel to Vellore, this Court is inclined to allow the above transfer petition as prayed for.

7. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.77 of 2024 pending on the file of the Principal Subordinate Court, Vellore is withdrawn and transferred to the file of the Subordinate Court, Arakkonam. No costs. Consequently, the connected civil miscellaneous petition is closed.

27-10-2025

Index :Yes / No

Internet :Yes / No

Neutral Citation :Yes / No

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S.SOUNTHAR, J.

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To

1. The Principal Subordinate Court, Vellore.
2. The Subordinate Court, Arakkonam.

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