



WEB COPY



Tr.C.M.P. No.530 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2025

CORAM:

THE HONOURABLE DR. JUSTICE A.D.MARIA CLETE

Tr.C.M.P. No. 530 of 2025

and

C.M.P. No. 13150 of 2025

V.P. Nanthini

W/o.D.B.Prithviraj and

D/o.A.V.Prabakaran,

No.200, VOC Street, Jothi Nagar,

Semmandalam, Cuddalore 1.

...Petitioner

D.B.Prithviraj,

S/o.Balu A.Dhanabal, No.6/172, Olaipatti,

Tholasampatti Via, Omalur Tk, Salem Dist.

... Respondent

Prayer in Tr.C.M.P. No.530 of 2025: Petition filed under Section 24 CPC to withdraw and transfer the proceedings in H.M.O.P. No.41 of 2025 pending on the file of the Sub Court, Omalur, Salem District to the file of the Family Court, Cuddalore, and pass appropriate orders.

For Petitioner : M/s.C.Jayachitra

For Respondent : Mr.J.Hariharan

for M/s.K.V.Law Firm



Tr.C.M.P. No.530 of 2025

ORDER

WEB COPY Heard.

2. The present Transfer Civil Miscellaneous Petition has been filed by the wife seeking transfer of H.M.O.P. No.41 of 2025, pending on the file of Sub Court, Omalur, Salem District, to the Family Court, Cuddalore. The respondent/husband has filed H.M.O.P. No.41 of 2025 seeking divorce on the grounds of cruelty and desertion.

3. The petitioner/wife states that she is presently residing at Cuddalore along with her aged parents and she is employed as a Guest Lecturer in the Department of Computer Science, Immaculate College for Women, Cuddalore. It is stated that she has to attend the college every day and taking leave would jeopardize her employment.

4. It is further stated that the distance between Cuddalore and Omalur is about 220 km, that there is no direct bus service, and that she has to travel 4 to 5 hours (one way) for every hearing. She also states that she depends upon her aged parents for travel and that frequent travel would cause undue hardship.



Tr.C.M.P. No.530 of 2025

5. The petitioner has also pleaded apprehension and difficulty to

travel to the respondent's place and contends that, on the other hand, the respondent is financially stable and it would not cause hardship to him to attend proceedings at Cuddalore.

6. This Court has considered the pleadings and the materials placed. In transfer petitions arising out of matrimonial proceedings, the convenience of the wife and the need to ensure effective participation in the proceedings are relevant considerations. On the facts of the present case, having regard to the petitioner's place of residence and employment at Cuddalore, her dependence on aged parents, and the travel distance and inconvenience pleaded, this Court is satisfied that the balance of convenience warrants transfer of the proceedings sought.

7. Accordingly, Tr.C.M.P. No. 530 of 2025 is allowed. H.M.O.P. No.41 of 2025 on the file of the Sub Court, Omalur, Salem District, is withdrawn and transferred to the file of the Family Court, Cuddalore. The Sub Court, Omalur, shall transmit the entire records to the Family Court, Cuddalore, within three (3) weeks from the date of receipt of this order and the Family Court, Cuddalore shall dispose of the matter

3/6



Tr.C.M.P. No.530 of 2025

in accordance with law, as expeditiously as possible, uninfluenced by any

observations made in this order. Interim stay granted by this Court on

16.06.2025 shall stand vacated and C.M.P. No.13150 of 2025 is closed.

There shall be no order as to costs.

18.12.2025

jai



WEB COPY



Tr.C.M.P. No.530 of 2025

To

1.The Sub Court, Omalur, Salem District.

2.The Family Court, Cuddalore.



WEB COPY



Tr.C.M.P. No.530 of 2025

Dr.A.D.MARIA CLETE, J.

jai

Tr.C.M.P. No. 530 of 2025

and

C.M.P. No. 13150 of 2025

18.12.2025