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Tr.C.M.P. No.552 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.552 of 2025

and C.M.P. No.13509 of 2025

Mrs. Karthika

.. Petitioner

Vs.

Mr. T. Devindarajan

. Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw H.M.O.P. No.128 of 2024 on the file of the Subordinate Court, Kangeyam, Tiruppur District and transfer the same to the file of the Subordinate Court, Mettur, Salem District.

For Petitioner : Mr.Vengadesh Durai Raja V K

For Respondent : Served-No Appearance

ORDER

Heard.

2. This Transfer Civil Miscellaneous Petition is filed by the wife



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seeking transfer of H.M.O.P. No.128 of 2024 from the file of the Subordinate Court, Kangayam, Tiruppur District to the file of the Subordinate Court, Mettur, Salem District.

3. The marriage between the parties was solemnized on 12.09.2019 and that out of the wedlock, two children were born on 03.10.2021 and 22.11.2023 respectively. She states that she is a homemaker and is required to take care of the two minor children and therefore faces difficulty in travelling from Mettur to Kangayam for every hearing.

4. The petitioner has also expressed apprehension regarding safety, stating that the respondent is working in the same town as a second grade policeman and due to his alleged influence, she moved to Mettur. It is also pleaded that no prejudice would be caused to the respondent if the matter is transferred to Mettur.

5. In transfer petitions arising out of matrimonial proceedings, the paramount consideration is to ensure that access to justice is not rendered illusory and that the proceedings are conducted in a manner which is fair and convenient, particularly when the wife is required to attend Court



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along with minor children and has no independent means. Having regard to the pleaded circumstances of the petitioner, including the care of two minor children and the stated travel hardship, this Court is of the view that the ends of justice would be served by ordering transfer as sought.

6. Accordingly, Tr.C.M.P. No.552 of 2025 is allowed. H.M.O.P. No.128 of 2024 on the file of the Subordinate Court, Kangeyam, Tiruppur District, is withdrawn and transferred to the file of the Subordinate Court, Mettur, Salem District. The Subordinate Court, Kangeyam, shall transmit the entire records to the Subordinate Court, Mettur, within three (3) weeks from the date of receipt of this order and the Subordinate Court, Mettur shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. Interim stay granted by this Court on 18.06.2025 shall stand vacated and C.M.P. No.13509 of 2025 is closed. There shall be no order as to costs.

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To

- 1.The Subordinate Court, Kangeyam, Tiruppur District.
- 2.The Subordinate Court, Mettur, Salem District.



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Dr.A.D.MARIA CLETE, J.

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