



TR.CMP.No.595 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2025

CORAM :

THE HONOURABLE MR. JUSTICE P.B.BALAJI

TR.CMP.No.595 of 2025

and

CMP.No.14549 of 2025

K.Aarthi

...Petitioner

Vs.

R.Ashwin

...Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw HMOP.No.799 of 2025 from the file of Family Judge of Coimbatore and transfer the same to the file of Family Court at Chennai.

For Petitioner : Mr.S.Arulpandian

For Respondent : Mr.R.Subramaniam
for Mr.B.Ravi



TR.CMP.No.595 of 2025

WEB COPY

ORDER

This Civil Revision Petition has been filed to withdraw HMOP.No.799 of 2025 from the file of Family Judge, Coimbatore and transfer the same to the file of Family Court, Chennai.

2. Heard the learned counsel for the petitioner as well as the learned counsel for the respondent.

3. Mr.R.Subramaniam, learned counsel for the respondent suggests that taking into account of convenience of both the husband and wife, the proceedings may be transferred to Villupuram.

4. The learned counsel for the petitioner however states that petition for restitution of conjugal rights has been filed before the VI Additional Family Court, Chennai and therefore, he seeks the matter to be transferred in HMOP.No.799 of 2025 pending on the file of the Family Judge of Coimbatore to the file of the Family Court, Chennai.



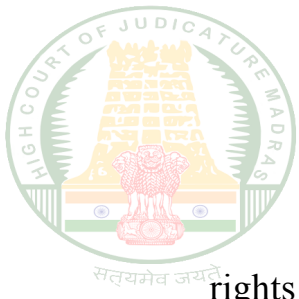
TR.CMP.No.595 of 2025

WEB COPY

5. However, in the affidavit filed in support of transfer C.M.P., the only ground on which, the transfer is sought for, is that the respondent/husband was employed in Chennai. However, it is now brought to my notice that as early as in the month of April, the respondent has resigned from his job at Chennai and moved to Coimbatore.

6. In the light of the above, the request of the learned counsel for the respondent appears to be reasonable. However, the wife has sought for transfer of H.M.O.P.No.799 of 2025 pending on the file of Family Court, Coimbatore. The grounds on which, the petitioner sought for transfer is the respondent/husband was employed only in Chennai and therefore no prejudice would be caused to the respondent, if the proceedings are transferred from the Family Court, Coimbatore to the file of the Family Court, Chennai.

7. The learned counsel for the respondent also brings to my notice that the wife/petitioner herein has filed OP for restitution of conjugal



TR.CMP.No.595 of 2025

WEB COPY

rights and the same is pending in H.M.O.P.No.369 of 2025 before the VI Additional Family Court, Chennai. Further, he would states that now the respondent has resigned from his job and moved back to Coimbatore, the request for transfer itself does not survive. However, the learned counsel for the petitioner states that the wife is unable to travel alone and appear before the Family Court, Coimbatore and she has no support or relatives to stay in Coimbatore.

8. In the light of the above and considering the convenience of both the petitioner as well as the respondent, I am inclined to transfer both H.M.O.P.No.799 of 2025, on the file of Family Judge, Coimbatore and also suo motu H.M.O.P.No.369 of 2025, pending on the file of VI Additional Family Court, Chennai to the file of Family Court, Tindivanam.

9. Both the parties are entitled to engage counsel of their choices to represent them in the aforesaid cases and the Transferee/Family Court, Tindivanam shall not insist upon the physical presence of the parties for all hearing dates and insist their presence only at the trial stage.



TR.CMP.No.595 of 2025

WEB COPY

10. With the above direction, this Transfer Civil miscellaneous petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

28.08.2025

jd

Index	: Yes / No
Speaking order	: Yes / No
NCC	: Yes / No

To

1. The Family Judge, Coimbatore.
2. The VI Additional Family Court, Chennai.
3. The Family Court, Tindivanam.



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TR.CMP.No.595 of 2025

P.B. BALAJI, J.
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