



WEB COPY

TR CMP No. 648 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-09-2025

CORAM

THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

TR CMP No. 648 of 2025

and C.M.P.No.15543 of 2025

G.Ranjini

D/o. Gomathinayagam, 3, Vasikka Meenda
Vinayagar Kovil Street, Tirunelveli Town,
Tirunelveli - 006.

..Petitioner

Vs

R. Navaneetha Lakshmanan

S/o. L. Ramachandran, Lotus Flats, Old No.33/6,
New No.75/6, First Floor, III Main Road, Gandhi
Nagar, Adyar, Chennai - 020.

..Respondent

PRAYER- This petition is filed under Section 24 of the C.P.C. to withdraw the petition in H.M.O.P. No.1980 of 2025 pending on the file of V Additional Family Court, Chennai and transfer to the Family Court, Tirunelveli.

For Petitioner: R.Narayanan

For Respondent: M/s.D.Nellaiappan

ORDER

This Transfer Civil Miscellaneous Petition is filed to withdraw the H.M.O.P. No.1980 of 2025 from the file of the V Additional Family Court, Chennai and transfer the same to the Family Court, Tirunelveli.



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2. The learned counsel appearing for the petitioner/wife submits that the petitioner is residing at Tirunelveli along with her age old parents. The parents of the petitioner alone is providing shelter to the petitioner and her child. The petitioner is unemployed women and under such circumstances, she is unable to spend money to travel from Tirunelveli to Chennai for every hearing to attend the Court proceedings at Chennai. The learned counsel further would submit that the distance between Chennai to Tirunelveli is more than 675 Kms, which is difficult for her to travel for every hearing with 3 years old child.

3. *Per contra*, the learned counsel appearing for the respondent would submit that the respondent/husband is working in a private firm in Chennai and if the petition is allowed, serious prejudice would be caused to the respondent/husband. Further, the learned counsel would submit that it may not be necessary for the petitioner/wife to attend in person physically for every hearing fixed in the Family Court and she can appear through Video Conference in all hearings with the permission of the Court and prayed for dismissal of this petition.

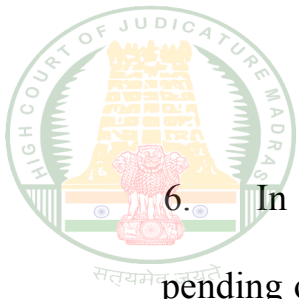


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4. Heard the learned counsel for the parties and perused the materials available on record.

5. 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."



6. In view of the facts and circumstances, the H.M.O.P. No.1980 of 2025 pending on the file of the V Additional Family Court, Chennai and transferred to the Family Court, Tirunelveli.

7. Accordingly, this Transfer Civil Miscellaneous Petition No.648 of 2025 stands allowed and H.M.O.P.No.1980 of 2025 withdrawn from the file of the V Additional Family Court, Chennai and transferred to the file of the Family Court, Tirunelveli. 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.The V Judge,

V Additional Family Court,
Chennai.

2.The Judge,

Family Court,
Tirunelveli.



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M.JOTHIRAMAN, J.

GSA

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and C.M.P.No.15543 of 202**

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