



TR.CMP.No.768 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2025

CORAM :

THE HONOURABLE MR. JUSTICE P.B.BALAJI

TR.CMP.No.768 of 2025

and

CMP.No.17822 of 2025

P.Deepika

...Petitioner

Vs.

D.Pugazhvanan

...Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure, to withdraw the case in H.M.O.P.No.310 of 2024 before the Sub Court, Kancheepuram, Kancheepuram District and the same may be transferred to the Sub Court, Poonamallee, Thiruvallur District.

For Petitioner : Mr.G.Sai Narayanavasan
for Mr.V.R.Appaswamee

For Respondent : Mr.G.K.Thamizharasan



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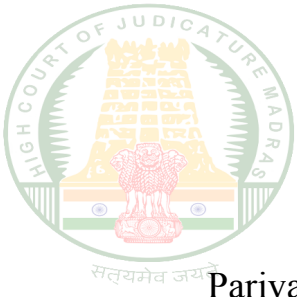
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ORDER

The present transfer petition has been filed by the petitioner/wife seeking transfer of H.M.O.P.No.310 of 2024 pending on the file of the Sub Court, Kancheepuram, Kancheepuram District to the file of the Sub Court, Poonamallee, Thiruvallur District.

2. Learned counsel for the petitioner/wife states that she resides in Parivakkam Village, Tiruvallur District, and is unable to attend the proceedings before the Sub Court, Kancheepuram. She further contends that she is dependent on her aged parents for her livelihood and has no one to accompany her to attend the proceedings at Kancheepuram. She also alleges that the respondent, being an influential person, may prevent her from getting a free and fair trial in the case pending before the Sub Court, Kancheepuram. The said transfer petition is resisted by the respondent.

3. Learned counsel for the respondent/husband submits that the petitioner was originally working in Poonamallee and now resides in



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Parivakkam Village, Tiruvallur District. According to him, the petitioner no longer works within the jurisdiction of Poonamallee Court but only in Kancheepuram. Therefore, he prays for dismissal of the transfer petition.

4. Learned counsel for the respondent/husband further submits that earlier the petitioner had agreed for dissolution of marriage by mutual consent, and a draft petition was also circulated. However, at the last moment, the petitioner/wife withdrew, and therefore, he prays for an early disposal of the H.M.O.P. Post-transfer, if this application is allowed.

5. I have carefully considered the submissions advanced by the learned counsel on either side and perused the materials placed on record, particularly the affidavit filed in support of the transfer petition.

6. The petitioner/wife has come before this Court with a specific case that she was employed in Poonamallee and is finding it difficult to attend the proceedings initiated by the respondent/husband in H.M.O.P.No.310 of 2024 on the file of the Sub Court, Kancheepuram.



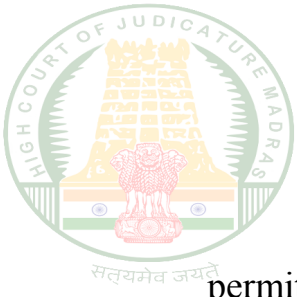
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7. It is seen from the petition in H.M.O.P.No.310 of 2024 that the respondent/husband himself has stated that the petitioner was employed in DLF, Ramapuram. Though the learned counsel for the respondent contends that subsequently the petitioner shifted to Kancheepuram, no material has been produced before this Court to substantiate such subsequent change of employment. On the other hand, the petitioner has sworn to an affidavit dated 19.07.2025, affirming that she resides in Parivakkam Village, Tiruvallur District, which fact is not in dispute.

8. In the light of the above, I am satisfied that the petitioner has made out sufficient grounds for seeking transfer of the proceedings as prayed for. Accordingly, the Transfer Civil Miscellaneous Petition is allowed. H.M.O.P.No.310 of 2024 is withdrawn from the file of the Sub Court, Kancheepuram, and transferred to the Sub Court, Poonamallee.

9. The Sub Court, Poonamallee, shall not insist on the physical appearance of the respondent/husband on all hearing dates, except where it is absolutely necessary. On all other occasions, the respondent shall be



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permitted to be represented by his counsel engaged for prosecuting the matter. The Sub Court, Poonamallee, is directed to expedite the trial in H.M.O.P.No.310 of 2024 and dispose of the same on or before 30.04.2026. No costs. Consequently, the connected miscellaneous petition is closed.

21.08.2025

cda

Index : Yes / No

Speaking order : Yes / No

To

- 1.The Sub Court, Kancheepuram,
Kancheepuram District.
- 2.The Sub Court, Poonamallee,
Thiruvallur District.



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P.B. BALAJI, J.

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