



Tr.CMP.No.1126 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

Tr.CMP.No.1126 of 2024

&

C.M.P.No.24730 of 2024

P.Sindhu

... Petitioner

Versus

C.P.Santhoshkumar

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of CPC, to withdraw the case in H.M.O.P.No.105 of 2023 which is pending on the file of the Family Court, Erode and transfer the same to Sub-Court, Sathyamangalam, Erode District.

For Petitioner : Mr.J.Titus Enock

For Respondent : Ms.S.Gayathri

ORDER

The petitioner / wife has come up with the above transfer petition seeking transfer of H.M.O.P.No.105 of 2023 from the file of Family Court, Erode to the file of Sub-Court, Sathyamangalam.



Tr.CMP.No.1126 of 2024

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2. Heard the learned counsel on both sides.

3. The learned counsel appearing for the petitioner submits that the respondent husband has filed H.M.O.P No.15 of 2023 seeking dissolution of marriage on the file of Family Court, Erode and the same is pending.

4. The petitioner states that she is living in Sathyamangalam with her parents and it will be very difficult for her to travel 65 kms for attending the case for each and every hearing before the Family Court, Erode. Hence, the present petition is filed seeking transfer. It is further stated that the petitioner has also filed a petition for restitution of conjugal rights in H.M.O.P.No.136 of 2024, which is pending on the file of Sub-Court, Sathyamangalam, Erode District and in order to avoid conflicting judgments, it is necessary to transfer H.M.O.P.No.105 of 2023 pending on the file of Family Court, Erode to Sub-Court, Sathyamangalam to try both the petitions simultaneously.

5. Per contra, learned counsel appearing for the respondent/husband would submit that the respondent is suffering from some ailment and hence, he is unable to travel to attend the Court proceedings at Sub-Court, Sathyamangalam. It is also stated that the respondent apprehends to appear before the Sub-Court, Sathyamangalam.



Tr.CMP.No.1126 of 2024

6. Considering the submission advanced on either side, considering the reasons stated in the affidavit and in order to avoid multiplicity of proceedings and conflicting judgments, it is just and necessary to transfer H.M.O.P.No.105 of 2023 to the file of Sub-Court, Sathyamangalam.

7. Accordingly, this Transfer Civil Miscellaneous petition is allowed. The case in H.M.O.P.No.105 of 2023 is hereby withdrawn from the file of Family Court, Erode and transferred to the file of Sub-Court, Sathyamangalam, Erode District. No costs. Connected Civil Miscellaneous Petition is closed.

18.09.2025

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To

1. The Family Court, Erode
2. The Sub-Court, Sathyamangalam



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Tr.CMP.No.1126 of 2024

M. JOTHIRAMAN, J.

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Tr.CMP.No.1126 of 2024

18.09.2025