



Tr.C.M.P.No.1216 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

Tr.C.R.P.No.1216 of 2025

and

C.M.P.No.27690 of 2025

P.Subashini

... Petitioner

vs.

1.Minor Arav

2.Minor Aarna

Both twin children aged 14 years,
Represented by their father/Guardian
P.Palaniappan

3.P.Palaniappan

... Respondents

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, to withdraw the G.W.O.P.No.23 of 2019 pending on the file of the learned Additional District Judge, (Fast Track Court), Kumbakonam, Thanjavur District and transfer the same to Family Court, Chennai.



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For Petitioner : Mr.Swami Subramanian

For Respondents : Mr.M.Prakash

ORDER

The Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking transfer of G.W.O.P.No.23 of 2019 filed by the 3rd respondent/husband from the file of the Additional District Court (Fast Track Court), Kumbakonam, Thanjavur to the file of Family Court, Chennai.

2. The 3rd respondent/husband filed the above original petition seeking declaration that he is the guardian of the minor children namely Aarav and Aarna and for their custody.

3. The petitioner herein filed the above transfer petition on the ground that the petitioner is currently working at Chennai and she finds it very difficult to undertake long travel to Kumbakonam to contest the original petition filed by the 3rd respondent/husband.



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4. The learned counsel appearing for the respondents opposed the transfer petition on the ground that the present transfer application has been filed just to harass the respondents and the same shall be dismissed.

5. It is seen from the typed-set of papers the petitioner is currently working at Chennai and she is having custody of two minor children. It is also stated that the petitioner's father is no more and her mother is also bedridden.

6. It is settled law that in cases involving matrimonial dispute, the preference shall be given to the convenience of the petitioner/wife.

7. Taking into consideration, the petitioner is having two minor children and her mother is also bedridden, it cannot be possible for her to undertake long travel to Kumbakonam to contest the original petition filed by the 3rd respondent/husband. Taking into consideration the convenience of the petitioner/wife, this Court is inclined to order the transfer petition.



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8. Accordingly, the Transfer Civil Miscellaneous Petition is allowed.

The original petition in G.W.O.P.No.23 of 2019 pending on the file of the Additional District Court (Fast Track Court), Kumbakonam, Thanjavur is withdrawn and transferred to the file of Family Court, Chennai. No costs. Consequently, the connected civil miscellaneous petition is closed.

17.11.2025

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
dm



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To

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- 1.The Additional District Judge, (Fast Track Court),
Kumbakonam, Thanjavur District.
- 2.The Family Court, Chennai.



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S.SOUNTHAR, J.

dm

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