



Tr.C.M.P.No.1398 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2025

PRESENT:

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P. No.1398 of 2024

and

C.M.P.No.30020 of 2024

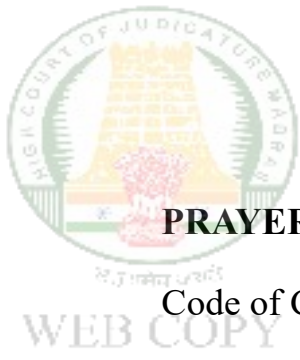
S.Monika, F/28,
W/o.T.Saravanabhavan @ Saravanan,
D/o.T.Suresh Babu,
Door No.43, Kumarasamy Street,
Thorapadi, Vellore,
Vellore District – 632 002.

... Petitioner

Vs.

T.Saravanabhavan @ Saravanan, M/38,
S/o.M.Thirunanasambandham,
Door No.1/4A, Mudaliyar Street,
Melpatti Village and Post,
Pernamput Taluk,
Vellore District – 630 502.

... Respondent



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PRAYER: : Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw the case in H.M.O.P.No.65 of 2024 on the file of Subordinate Judge at Gudiyattam, Vellore District and transfer the same to the Family Court, Vellore, Vellore District and thus render justice.

For Petitioner : Mr. S.Raja Ravi Varma, Advocate.

For respondent : Served – no appearance.

O R D E R

Heard.

2. The petitioner-wife seeks withdrawal of H.M.O.P. No.65 of 2024, a petition for restitution of conjugal rights filed by the respondent/husband on the file of the Sub Court, Gudiyattam, Vellore District and transfer of the same to the Family Court, Vellore.

3. Briefly, the marriage between the parties was solemnised on 29.08.2022 and a female child, Sushmita T, was born on 11.07.2023. The petitioner alleges dowry demands, physical and verbal abuse at the hands of the respondent and his mother,



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repeated ousters from the matrimonial home and neglect of both her and the minor

child. She has lodged a complaint before the All Women Police Station, Gudiyattam.

She now lives with her aged parents at Vellore and has no independent income.

4. The petitioner states that the Sub Court, Gudiyattam is about 60 km (up and down) from her residence; her father, an auto driver, is under medical treatment; she is the sole caregiver of a minor girl child; and that it is practically impossible for her to travel for every hearing in H.M.O.P. No.65 of 2024 while also attending the maintenance case in M.C.No.26 of 2024 filed by her at Vellore.

5. The respondent/husband, who has filed the H.M.O.P. for restitution, is stated to be gainfully employed in the IT sector and possessed of property. In these circumstances, this Court finds sufficient cause to allow the transfer. In the result, Tr.C.M.P. No.1398 of 2024 is allowed. H.M.O.P. No.65 of 2024 on the file of the Sub Court, Gudiyattam, Vellore District is withdrawn and transferred to the file of the Family Court, Vellore. The learned Subordinate Judge, Gudiyattam, shall transmit the entire records in H.M.O.P. No.65 of 2024 to the Family Court, Vellore, within three



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weeks from the date of receipt of a copy of this order and the Family Court, Vellore

shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. Interim stay granted by this Court on 03.01.2025 shall stand vacated and C.M.P.No.30020 of 2024 is closed. No order as to costs.

08.12.2025

mfa/ay

Index : Yes/No

NCC : Yes/No

Speaking Order / Non-Speaking Order

To

1.The Subordinate Judge,
Gudiyattam, Vellore District.

2.The Family Court,
Vellore.



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DR. A.D. MARIA CLETE, J

mfa/ay

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Dated: 08.12.2025