



Tr.C.M.P.No.15 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2025

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

Tr.C.M.P.No.15 of 2025

and

C.M.P.No.456 of 2025

Minor Samhitha
Rep. by Mother and Natural Guardian
Mrs.Deepa [F/A.39 Yrs.]
W/o.Premkumar,
No.13/1, Cauvery Nagar,
Thiruverumbur,
Tiruchirapalli – 620013.

Temporarily residing at

No. Plot No.39/40/41, Flat No.1C
DAC Madambi 4th Street,
SR Colony, Madambakkam,
Chennai – 600126.

... Petitioner

Vs.

Premkumar [M/A.40 Yrs.]
S/o.Ponnusamy
Door No.1/32, R.G.Nagar,
Chinnakalayam,
Pudur, Palani,
Dindigul District.

... Respondent



Tr.C.M.P.No.15 of 2025

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the M.C.No.104 of 2021 on the file of the Family Court at Tiruchirapalli and transfer the same to the Family Court at Chennai.

For Petitioner : Mr.G.P.Kothandaraman

For Respondent : Mr.D.S.Haroon Rasheed

ORDER

This Transfer Civil Miscellaneous Petition is filed seeking transfer of Maintenance Case filed by petitioner's mother in M.C.No.104 of 2021 on the file of the Family Court at Thiruchirappalli to the file of the Family Court at Chennai.

2. Heard the arguments of learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.



Tr.C.M.P.No.15 of 2025

3. According to the petitioner, the petitioner's mother was residing at Tiruchirappalli. Later, she was transferred to Chennai and therefore, now the petitioner's mother residing at Madambakkam, Chennai along with her minor daughter-Samhitha. The petitioner's mother filed this transfer application expressing her difficulty in undertaking travel for such a long distance to attend each and every hearing in Family Court, Tiruchirappalli.

4. The transfer petition was opposed by the respondent/husband by filing counter affidavit, wherein it was stated that he suffered brain cancer and had been taking treatment regularly. Considering the medical condition of the respondent/husband, it is stated that it may not be possible to undertake such a long travel from Dindigul to Chennai. It is further stated that the maintenance case filed by his wife in M.C.No.104 of 2021 is in part-heard stage and the same can be disposed of within a period of one month. Therefore, according to the respondent, the transfer request made by the petitioner need not be considered.

5. A perusal of the averment made by the petitioner's mother in the maintenance case would indicate that the respondent suffered brain



Tr.C.M.P.No.15 of 2025

tumour/cancer and he had undergone surgery. Since the respondent is a brain tumour/cancer patient and had been taking treatment regularly, this Court is not inclined to allow the transfer application. The respondent is residing at Dindigul and it is very difficult to him to undertake travel to Chennai for attending each and every court proceedings.

6. A perusal of the adjudication report produced before this Court would indicate the maintenance case is in part-heard stage. Taking into consideration, the totality of the circumstances, this Court is not inclined to order this transfer application and the same is dismissed.

7. The Family Court, Tiruchirappalli is directed to dispose of the main maintenance case in M.C.No.104 of 2021 as expeditiously as possible. No costs. Consequently, connected civil miscellaneous petition is closed.

28.10.2025

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



Tr.C.M.P.No.15 of 2025

To

1.The Family Court, Tiruchirapalli.

2.The Family Court, Chennai.



WEB COPY



Tr.C.M.P.No.15 of 2025

S.SOUNTHAR, J.
dm

Tr.C.M.P.No.15 of 2025

28.10.2025