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Tr CMP No. 1196 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2025

CORAM :

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

Tr CMP No. 1196 of 2025
and
C.M.P.No. 27042 of 2025

Surekha Surendran

.. Petitioner

vs

Arun B

.. Respondent

Prayer : Petition filed under Section 24 of CPC to withdraw HMOP No. 100 of 2025 pending on the file of Family Court, Chengalpattu and transfer the same to Subordinate Court, Poonamallee.

For Petitioner : Mr.R.Premanandhan

For Respondent : Mr.Gokulvisvas.C.R.

ORDER

The Transfer Civil Miscellaneous Petition has been filed by the petitioner / wife seeking transfer of petition for restitution of conjugal rights filed by the respondent / husband from Family Court, Chengalpattu to Subordinate Court, Poonamallee.



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2. Heard the arguments of learned counsel on either side.

3. According to petitioner, she is residing at Mangadu in Kancheepuram District and she is having eight years old child and she finds it difficulty to undertake travel to Chengalpattu.

4. Learned counsel for the respondent opposed the transfer petition on the ground that the same has been filed only to harass the husband. It is also stated that the petitioner deserted the respondent without any cause. Therefore, the request for transfer shall not be entertained.

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

6. In the case on hand, the petitioner / wife is having a minor son and she is residing at Mangadu, within the territorial limits of Subordinate Court, Poonamallee. She expressed difficulty in undertaking travel to Chengalpattu for the purpose of attending the court hearings. Further, it is also stated that the petitioner / wife filed petition for divorce before the Subordinate Court, Poonamallee and the same is not numbered. Hence, taking into consideration the



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convenience of petitioner / wife, this Court is inclined to order the above transfer petition as prayed for.

7. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.100 of 2025 pending on the file of the Family Court, Chengalpattu is withdrawn and transferred to the file of the Subordinate Court, Poonamallee. In case, the petition for divorce filed by the petitioner is numbered by then, the petition for restitution of conjugal rights and the petition for divorce shall be taken up for hearing jointly. No costs. Consequently, the connected civil miscellaneous petition is closed.

18.11.2025

Index:Yes/No
Neutral Citation:Yes/No
ssm

To

1.The Family Court,
Chengalpattu.

2.The Subordinate Court,
Poonamallee.



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S. SOUNTHAR,J.,

ssm

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