



WEB COPY



Tr.C.M.P.No.13 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2026

PRESENT:

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P. No.13 of 2026

and

C.M.P.No.494 of 2026

G. Methalakshmi

... Petitioner

Vs.

K.Denesh

... Respondent

Prayer in Tr.C.M.P. No.13 of 2026: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the FCOP.No.4953 of 2025 on the file of the II Additional Principal Judge, Family Court, Chennai and to transfer the same to the Family Court, Vellore, Vellore district.

Prayer in C.M.P. No.494 of 2026: Petition to stay of all further proceedings in FCOP.No.4953 of 2025 on the file of the II Additional Principal Judge, Family Court, Chennai pending disposal of the above Tr.CMP.

For Petitioner : Mr.K.A.Ravindran

For Respondent : Mr.D.Panchatsaram



Tr.C.M.P.No.13 of 2026

ORDER

Heard.

2. This Transfer Civil Miscellaneous Petition has been filed by wife seeking withdrawal of FCOP. No. 4953 of 2025 pending on the file of the II Additional Principal Judge, Family Court, Chennai and to transfer the same to the file of the Family Court, Vellore, Vellore district.

3. The petitioner is the wife. The marriage between the petitioner/wife and the respondent/husband is stated to have been solemnized on 02.03.2025. The respondent has instituted F.C.O.P.No.4953 of 2025 for conjugal rights on the file of the II Additional Principal Judge, Family Court, Chennai and the petitioner has filed D.V.C. in filing number 25262 of 2025 on the file of the Chief Judicial Magistrate Court, Vellore.

4. The learned counsel for the petitioner submitted that the petitioner is residing at Vellore and is dependent and constrained to travel to Chennai for every hearing; that the transfer is sought on the ground of hardship and for effective



Tr.C.M.P.No.13 of 2026

participation in the proceedings; and that the petition for conjugal right has been instituted at Chennai only to cause inconvenience to her. The petitioner has also filed DVC before the Chief Judicial Magistrate, Vellore and the same is unnumbered.

5. Per contra, the learned counsel for the respondent, relying upon the counter affidavit, would submit that the respondent admits the marriage between the parties and denies the other allegations. It is submitted that the respondent is employed at Chennai and he has to take care of his aged parents.

6. This Court has considered the pleadings. In matrimonial matters, the paramount consideration while exercising power under Section 24 C.P.C. is to ensure a fair opportunity to both parties and to avoid undue hardship. The inconvenience of repeated travel, particularly to the wife, is a relevant factor. In the case on hand, the petitioner has shown sufficient cause regarding difficulty in attending the Court at Chennai and the request for transfer is found to be bona fide.

7. Further, transfer of the proceedings to the Family Court, Vellore would advance the cause of justice and enable expeditious disposal, without causing

3/6



Tr.C.M.P.No.13 of 2026

prejudice to the respondent, who can always contest the matter before the transferee Court.

8. Accordingly, Tr.C.M.P. No.13 of 2026 is allowed. F.C.O.P. No.4953 of 2025 on the file of the learned II Additional Principal Judge, Family Court, Chennai, is withdrawn and transferred to the file of the Family Court, Vellore, Vellore district. The II Additional Principal Judge, Family Court, Chennai, shall transmit the entire records to the Family Court, Vellore, Vellore district within three (3) weeks from the date of receipt 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. Consequently, connected miscellaneous petition is also closed. There shall be no order as to costs.

13.02.2026

dpq

Index : Yes/No

NCC : Yes/No

Speaking Order / Non-Speaking Order



Tr.C.M.P.No.13 of 2026

To

WEB COPY

1. The II Additional Principal Judge,
Family Court, Chennai
2. The Family Court,
Vellore, Vellore district.



WEB COPY



Tr.C.M.P.No.13 of 2026

DR. A.D. MARIA CLETE, J.

dpq

Tr.C.M.P. No.13 of 2026

and

C.M.P.No.494 of 2026

Dated: 13.02.2026