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Tr.C.M.P.No.29 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2026

CORAM:

THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE

Tr.C.M.P. No.29 of 2026

&

C.M.P. No.775 of 2026

Mrs. Rajapriya
D/o. Anbazhagan, No.27, Sivam Nagar,
Panagal Road, Tiruvaur District - 610001.

... Petitioner

-Versus-

Mr.Surendar
S/o. Venkatesan, No.9-NLC, Maatru Kudieruppu,
Neyveli -1, Cuddalore District.

... Respondent

Prayer in Tr.C.M.P. No.29 of 2026: Transfer Petition filed under Section 24 of C.P.C., to withdraw HMOP No.60 of 2025 on the file of the Subordinate Court, Neyveli, Cuddalore District and transfer the same to Subordinate Judge, Tiruvarur District.

Prayer in C.M.P. No.775 of 2026: Petition seeking to stay all further proceedings in HMOP No.60 of 2025 on the file of the Subordinate Court, Neyveli, Cuddalore



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District, pending disposal of the Transfer C.M.P.

For Petitioner : Mr.M.Prakash Raj, Advocate

For Respondent : No Appearance

ORDER

Heard .

2. The present Transfer Civil Miscellaneous Petition has been filed by the petitioner/wife seeking withdrawal of HMOP No.60 of 2025 on the file of the Subordinate Court, Neyveli, Cuddalore District and transfer the same to Subordinate Judge, Tiruvarur District .

3. The case of the petitioner, in brief, is that the marriage between the petitioner and the respondent was solemnized on 27.03.2024 and thereafter matrimonial disputes arose. The petitioner states that she is undergoing continuous treatment and is suffering from CML, and therefore travel and attending proceedings at Neyveli would cause hardship.

4. It is further stated that the petitioner has initiated proceedings under the Protection of Women from Domestic Violence Act in D.V.C.No.29 of 2025 before

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the Judicial Magistrate – Additional Mahila Court, Tiruvarur, and the said proceedings are pending.

5. The petitioner also states that the distance between her place at Tiruvarur and Neyveli is about 260 kilometres (round trip) and she has no independent income and depends on her aged parents to accompany her.

6. Though notice was ordered, there is no appearance on behalf of the respondent.

7. This Court has considered the submissions. In transfer petitions arising out of matrimonial proceedings, the paramount consideration is the ends of justice, and the Court is required to balance convenience and hardship of parties. In the present case, the petitioner is residing at Tiruvarur and is already prosecuting/attending connected proceedings at Tiruvarur. The petitioner has also pleaded medical difficulties and travel hardship in attending Neyveli Court.

8. In view of the above facts and circumstances, and having regard to the pendency of connected proceedings at Tiruvarur and the hardship pleaded by the petitioner, this Court is of the view that the transfer sought for deserves to be



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ordered.

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9. Accordingly, Tr.C.M.P.No.29 of 2026 is allowed. H.M.O.P.No.60 of 2025 on the file of the Subordinate Court, Neyveli, Cuddalore District, is withdrawn and transferred to the file of the Subordinate Court, Tiruvarur District. The Subordinate Court, Neyveli, Cuddalore District, shall transmit the entire records to the Subordinate Court, Tiruvarur District, within three (3) weeks from the date of receipt of this order and the Subordinate Court, Tiruvarur District shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. C.M.P.No.775 of 2026 is closed. There shall be no order as to costs.

03.02.2026

jv/mfa

Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation: Yes / No



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To

1. The Subordinate Judge, Neyveli, Cuddalore District
2. The Subordinate Judge, Tiruvarur District.



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DR. A.D. MARIA CLETE, J

jv/mfa

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&
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