



Tr.CMP No.12 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-01-2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

TR CMP No. 12 of 2026

and

CMP No.493 of 2026

D.Lakshmi

...Petitioner(s)

Vs

J.Ashok

...Respondent(s)

Prayer in Tr.CMP No.12 of 2026:

Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, pleaded to withdraw the H.M.O.P No.3621 of 2025 on the file of Hon'ble III Additional Family Court at Chennai and to transfer the same to the file of Family Court, Coimbatore.

Prayer in CMP No.493 of 2026: Petition filed under Section 151 of Code of Civil Procedure, pleaded to pass an order of stay of all further proceedings in H.M.O.P.No.3621 of 2025 on the file of Hon'ble III Additional Family Court at Chennai pending disposal of the above Transfer Petition.

For Petitioner(s) : Mr.N.Premkumar
For Respondent(s): Ms.V.S.Usha Rani



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ORDER

1. Heard.
2. The petitioner is the wife. The respondent/husband has filed H.M.O.P. No.3621 of 2025 before the III Additional Family Court, Chennai, seeking dissolution of marriage on the ground of cruelty. The petitioner has approached this Court under Section 24 C.P.C. seeking transfer of the said H.M.O.P. from Chennai to Family Court, Coimbatore.
3. The case of the petitioner is that the marriage between the parties was solemnized on 08.06.2017 and a female child was born out of the wedlock, who is in the care and custody of the petitioner. The petitioner states that she is residing at Coimbatore along with the minor child, that the child is attending school at Coimbatore, and that she has no independent source of income. The distance between Coimbatore and Chennai is stated to be about 500 kms and she pleads serious difficulty and hardship in undertaking travel for every hearing, especially being a woman with a minor child, besides incurring substantial expenditure per hearing.
4. The petitioner further contends that no maintenance has been paid by the



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respondent till date, either to the petitioner or to the minor child; and that she is constrained to meet day-to-day expenses and the child's educational expenses without financial assistance from the respondent.

5. On the other hand, the respondent/husband has instituted the proceedings at Chennai, pleading that the parties lived together at Chennai and seeking dissolution of marriage on the allegation of cruelty.
6. This Court has considered the rival submissions. In transfer petitions arising out of matrimonial proceedings, it is well settled that the convenience of the wife, particularly when she has the custody of a minor child, deserves paramount consideration. The pleadings disclose that the petitioner-wife is residing at Coimbatore with the minor child and the child's schooling is also at Coimbatore. Requiring the petitioner to travel to Chennai on every hearing would cause avoidable hardship, expense and inconvenience. On the contrary, transferring the proceedings to Coimbatore would not cause comparable prejudice to the respondent, as he can prosecute the matter before the transferee Court.
7. Therefore, considering the overall facts and circumstances, and bearing in mind the settled principle regarding convenience in matrimonial transfers,



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this Court is of the view that the transfer sought for deserves to be ordered.

8. Accordingly, Tr.C.M.P. No.12 of 2026 is allowed.

H.M.O.P. No.3621 of 2025 on the file of the III Additional Family Court, Chennai, is withdrawn and transferred to the file of the Family Court, Coimbatore. The III Additional Family Court, Chennai, shall transmit the entire records to the Family Court, Coimbatore, within three (3) weeks from the date of receipt of this order and the Family Court, Coimbatore 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. 493 of 2026 is closed. There shall be no order as to costs.

20.01.2026

Index:Yes/No

Neutral Citation:Yes/No

Internet:Yes

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- To**
1. The III Additional Family Court, Chennai.
 2. The Family Court, Coimbatore.



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DR. A.D.MARIA CLETE

dsn

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