



Tr.C.M.P.No.43 of 2026

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2026

CORAM

THE HON'BLE Mrs.JUSTICE R.KALAIMATHI

Tr.C.M.P.No.43 of 2026

and

C.M.P.No.1104 of 2026

Mahalakshmi@Saranya

... Petitioner

Vs

Balakrishna

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P.No.3622 of 2025 pending on the file of the III Additional Family Court at Chennai and transfer the same to the Subordinate Court at Vandavasi.

For Petitioner

: Mr.B.Jawahar

For Respondent

: Ms.Gajalakshmi Rajendran

ORDER

Heard the learned counsel for the petitioner and the learned counsel for the respondent.



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2. This Transfer Civil Miscellaneous Petition is taken out by the wife / respondent in H.M.O.P.No.3622 of 2025 on the file of the III Additional Family Court at Chennai and seeking to transfer the same to the file of the Subordinate Court at Vandavasi.

3. H.M.O.P.No.3622 of 2025 was filed by husband for nullity of marriage under Section 12(1)(c) of the Hindu Marriage Act, 1955.

4. Petitioner/wife would aver that she is residing at present in the given address only i.e.,Purasai Village, Cheyyar Taluk, Purasai, Tiruvannamalai District and it is difficult for her to appear before III Additional Family Court, Chennai from Cheyyar.

5. The principles regarding transfer petitions, more specifically in the matters of matrimonial cases are well settled by the Hon'ble Supreme Court in the following cases:-

“i. In AIR 2000 SC 3512 (1) (Mona Aresh Goel vs. Aresh Satya Goel), when the wife pleaded that she was unable to bear the traveling expenses and even to travel alone and stay at Bombay, the Supreme Court ordered transfer of proceedings.



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ii. In 2000 (10) SCC 304 (Geeta Heera Vs. Harish Chander Heera), the Hon'ble Supreme Court has held that where the petitioner's wife has pleaded lack of money, the same has to be considered.

iii. In Lalita A. Ranga Vs. Ajay Champalal Ranja reported in (2009) 9 SCC 355 , wherein the wife, who was having small child and she was finding it difficult to travel from Jaipur to Bombay, and the Hon'ble Apex Court accepting her request ordered the transfer petition in favour of the wife transferring the transfer petition from Family Court at Bandra in Mumbai to the Family Court at Jaipur."

6. On perusal of short and long cause title, it appears that petitioner is resident of Cheyyar Taluk.

7. In consideration of the above said details, the request of the petitioner herein / wife appears to be based on justifiable cause and accordingly, this Transfer Civil Miscellaneous Petition is allowed. Sequel to this, H.M.O.P.No.3622 of 2025 pending on the file of the III Additional Family Court at Chennai is withdrawn and transferred to the file of the Subordinate Court at Cheyyar. The Subordinate Court, Cheyyar on



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receipt of the records to try and dispose of the matter in accordance with law at the earliest. No Costs. Consequently, connected Civil Miscellaneous Petition is closed.

16.03.2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
ssn

To

1. The III Additional Family Court, Chennai.
2. The Subordinate Court, Cheyyar.
3. The Section Officer,
V.R.Section, High Court,
Madras.



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R.KALAIMATHI, J.,

ssn

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