



WEB COPY

TR CMP No. 49 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-02-2026

CORAM

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

TR CMP No. 49 of 2026

and

CMP NO.1208 OF 2026

Keerthana Nitish
W/O. Nitish Sethu Venkatesan,
No.1S, 2nd Floor,
Vetri Anokhi Apartment,
Thondamuthur Road,
Vadavalli, Coimbatore - 641046.

..Petitioner(s)

Vs

Nitish Sethu Venkatesan
S/O. V.Sethu Venkatesan,
No.52B/14, South Street,
Balaji Nagar,
Chrompet,
Chennai - 600044.



..Respondent(s)

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PRAYER IN TRCMP

To withdraw HMOP No.751/2025 pending on the file of Subordinate Court at Alandur, and to transfer the same to the file of Family Court at Coimbatore.

PRAYER IN CMP: To stay all further proceedings in HMOP No.751/2025 pending on the file of Subordinate Court at Alandur,

For Petitioner(s): Mr.E.Prabu

For Respondent(s): No appearance

ORDER

1. Heard.

2. This Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure seeking withdrawal of H.M.O.P. No.751 of 2025 pending on the file of the Subordinate Court, Alandur, and transfer of the same to the file of the Family Court, Coimbatore.



3. Despite the name of the respondent being printed in the cause list, there is no representation on behalf of the respondent.

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4. The husband has filed the above H.M.O.P. seeking restitution of conjugal rights. The petitioner/wife is stated to be residing at Coimbatore along with the minor child.

5. It is the case of the petitioner that the petitioner is residing at Coimbatore along with minor child and she has to travel about 1000 Km for every posting, which is causing undue hardship. The petitioner is required to undertake repeated travel with no dependable escort/support. Further, the petitioner is not in a position to travel alone and the travel itself is onerous and unsafe.

6. The fact that the petitioner is residing with the minor child is a relevant consideration and the Court cannot insist on repeated causing avoidable hardship. The petitioner's care giving responsibilities and the need to attend the Court on multiple occasions weigh in favour of transfer. Having regard to the residence of the petitioner with the minor child and the attendant hardship, this Court is satisfied that the prayer for transfer deserves acceptance.



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7. Accordingly, TR.C.M.P. No.49 of 2026 is allowed and H.M.O.P. No.751 of 2025 pending on the file of the Subordinate Court, Alandur is withdrawn and transferred to the file of the Family Court, Coimbatore, for disposal in accordance with law. The Subordinate Court, Alandur shall transmit the entire records to the Family Court, Coimbatore expeditiously, preferably within four weeks from the date of receipt of a copy of this order. The transferee Court shall thereafter issue notice to both parties and proceed in accordance with law. Consequently, C.M.P. No.1208 of 2026 is closed. No costs.

19-02-2026

Index: Yes/No

Speaking/Non-speaking order

MFA



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To

1. Subordinate Court, Alandur

2. Family Court, Coimbatore



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DR.A.D.MARIA CLETE, J.

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