



WEB COPY

TR CMP No. 143 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

CORAM

THE HON'BLE MRS.JUSTICE R. KALAIMATHI

TR CMP No.143 of 2026

AND

CMP NO.4551 OF 2026

Tamilarasi

..Petitioner(s)

Vs.

Dinesh

..Respondent(s)

Prayer : This Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C.to withdraw H.M.O.P.No.147 of 2025 from the file of the Family Court Sivagangai at Sivagangai District and transfer the same to the Family Court at Chennai .

For Petitioner(s) : Mr.D.,Manojkumar

For Respondent(s) : No Appearance

ORDER

Heard the learned counsel for the petitioner.

2. Despite the receipt of notice, the respondent's name having been printed in the cause list, respondent neither appeared nor entered appearance through his counsel.



3. The petitioner/wife would aver that her husband Mr.Dinesh. s/o.Gurusamy has instituted H.M.O.P.No.147 of 2025 which is pending before the Family Court, Sivagangai. She would further aver that in the year 2021, she was selected as a Grade II Police Constable in the Uniformed Services at Tamil Nadu and is presently working in Chennai (Egmore- F2). She would also aver that she has a child aged about seven years, who is studying at Asan Memorial School, Chennai. She would further state that she finds it very difficult to travel from Chennai to Sivagangai for all the hearings.

4. The learned counsel for the petitioner would reiterate the said contentions and strenuously argue that and she has to travel all the way from Chennai to Sivagangai for all the hearings, and hence prays for allowing this petition.

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.



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 petition filed in H.M.O.P.No.147 of 2025, it appears that petitioner/husband is the resident of Vellikurichi Post, Manamadurai Taluk, Sivagangai District and the respondent/wife is resident of Choolaimedu, Chennai District.

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.147 of 2025 pending on the file of the Family Court, Sivagangai is withdrawn and transferred to the file of the IV Additional Principal Family Court, Chennai. The IV Additional Principal Family Court, Chennai on



WEB COPY

TR CMP No. 143 of 2



R.KALAIMATHI, J.

KKD

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.

27-03-2026

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

To

- 1.The Family Court Sivagangai.
2. The IV Additional Principal Family Court, Chennai.

**TR CMP No. 143 of 2026
AND
CMP NO. 4551 OF 2026**