



WEB COPY

TR CMP No. 59 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-02-2026

CORAM

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

**TR CMP No. 59 of 2026
and
CMP Nos. 1546 and 1549 of 2026**

Chitradevi

..Petitioner

Vs

Yuvaraj @ Rajan

..Respondent

Prayer in TR CMP No. 59 of 2026: Petition filed under section 24 of CPC to withdraw HMOP No.85 of 2025 before the Principal Subordinate Judge, Tindivanam and transfer the same to the file of the Family Court, Pondicherry.

Prayer in CMP No. 1549 of 2026: Petition to pass an order to dispensing with the personal appearance of the petitioner in connection with the HMOP NO.85 of 2025 on the file of the Principal Subordinate Judge, Tindivanam pending disposal of the above Tr.CMP.

Prayer in CMP No. 1546 of 2026: Petition to stay all further proceedings HMOP No.85 of 2025 on the file of the Principal Subordinate Judge, Tindivanam pending disposal of the above Tr CMP.



For Petitioner:

Mr.E.Chandrasekaran

For Respondent:

Mr.A.R.Suresh

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Order

Heard.

2. This Transfer Civil Miscellaneous Petition is filed under Section 24(1) C.P.C. to withdraw H.M.O.P. No.85 of 2025 pending on the file of the Principal Subordinate Judge, Tindivanam and to transfer the same to the file of the Family Court, Puducherry.
3. The petitioner is the wife and the respondent is the husband. The marriage between the parties was solemnized on 28.10.2022. The respondent/husband has filed H.M.O.P. No.85 of 2025 at Tindivanam seeking dissolution of marriage under Section 13(1)(i-a) & (i-b) of the Hindu Marriage Act, 1955.
4. The learned counsel for the petitioner submitted that the petitioner is residing at Puducherry with her parents and that she has instituted D.V.C. No.44 of 2025 before the Mahila Court, Puducherry, and the respondent



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is also appearing therein. It is further submitted that the petitioner has joined B.Ed. (English) Course at Puducherry and therefore repeated travel to Tindivanam for every hearing would cause serious hardship and affect her course. The petitioner contends that only after filing of D.V.C. No.44 of 2025, the respondent has filed the present H.M.O.P. at Tindivanam.

5. The learned counsel for the respondent submitted that the respondent is working at Hosur. The learned counsel also refuted the petitioner's submission on the sequence of proceedings and would contend that the D.V.C. came to be filed only after receipt of notice in the H.M.O.P.
6. This Court has considered the rival submissions. In matrimonial transfer petitions, the Court is required to weigh the balance of convenience and the comparative hardship. The petitioner is residing at Puducherry and is already prosecuting proceedings at Puducherry. She has also placed reasons relating to her studies and practical difficulty in undertaking repeated travel to Tindivanam. Therefore, transfer would not cause any serious prejudice to the respondent.
7. In the facts and circumstances, this Court is satisfied that the petition deserves to be allowed. Accordingly, Tr.C.M.P. No.59 of 2026 is



allowed. H.M.O.P. No.85 of 2025 on the file of the Principal Subordinate Judge, Tindivanam, is withdrawn and transferred to the file of the Family Court, Puducherry. The Principal Subordinate Judge, Tindivanam, shall transmit the entire records to the Family Court, Puducherry, within three (3) weeks from the date of receipt of this order and the Family Court, Puducherry shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. CMP Nos. 1546 and 1549 of 2026 are closed. There shall be no order as to costs.

11-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SHL

To

1. The Principal Subordinate Judge, Tindivanam
2. The Family Court, Pondicherry.



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DR.A.D.MARIA CLETE J.

SHL

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