



WEB COPY

TR CMP No. 101 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2026

CORAM

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

TR CMP No. 101 of 2026

AND

CMP NO. 2334 OF 2026

K. Jayalakshmi
W/o. Krishnamurthy,
No.2/158, Indira Gandhi St,
Pudhu Nagar, Medavakkam,
Perumbakkam,
Chennai 100.

..Petitioner(s)

Vs.

H. Krishnamurthi
S/o. Late. Harikrishnan,
No.72, Theradi St,
Kodukoor Village,
Tindivanam Taluk,
Villupuram Dt 605 501.

..Respondent(s)

PRAYER IN TR CMP No. 101 of 2026

To pass an order to withdraw HMOP No.166/2025 pending on the file of the Honble Additional Sub Court at Tindivanam and transfer the same to the file of the Honble Sub Court at Alandur.

PRAYER IN TR.CMP No. 2334 of 2026

To stay all further proceedings in HMOP No.166/2025 pending on the file of Honble Additional Sub Court at Tindivanam pending disposal of the above Tr CMP.

For Petitioner(s): M/s.A.Thirumaran

For Respondent(s): No appearance.



Order

Heard.

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2. This Transfer Civil Miscellaneous Petition has been filed by the petitioner/wife under Section 24 of the Code of Civil Procedure seeking withdrawal of H.M.O.P. No.166 of 2025 pending on the file of the Additional Sub Court at Tindivanam and transfer the same to the file of the Sub Court at Alandur.

3. The case of the petitioner is that the petitioner and the respondent are husband and wife and due to matrimonial disputes, differences arose and they started living separately and the respondent has filed H.M.O.P.No.166 of 2025 before the Additional Sub Court, Tindivanam seeking restitution of conjugal rights.

4. The learned counsel for the petitioner submits that the distance between the petitioner's residence and the Additional Sub Court, Tindivanam is about 120 kms and the petitioner is living with the aged parents suffering from age related ailments and has got no source of income and hence, it is extremely difficult for the petitioner to travel to Tindivanam for attending every hearing and submits that no prejudice will be caused to the respondent, if the case is transferred to Chennai.



5. Having considered the submissions, this Court is of the view that, in a petition for transfer filed by the wife, the convenience of the wife ordinarily deserves primacy. In the facts placed, it is seen that the petitioner is residing in Chennai with aged parents with no source of income and the proceedings sought to be transferred are pending at Tindivanam. Therefore, this Court is inclined to allow the transfer sought for.

6. Accordingly, Tr.C.M.P. No.101 of 2026 is allowed and H.M.O.P. No.166 of 2025 pending on the file of the Additional Sub court, Tindivanam is withdrawn and transferred to the file of the Sub Court, Alandur. The Additional Sub court, Tindivanam is directed to transmit the entire records within a period of three weeks to the Sub Court, Alandur. On receipt of the records, the Sub Court, Alandur shall dispose of the case in accordance with law as expeditiously as possible, uninfluenced by any of the observations made in this order. Consequently, connected C.M.P. No.2334 of 2026 is closed. No costs.

26-02-2026

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

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DR.A.D.MARIA CLETE J.

DPQ

To

- 1.The Additional Sub Court at Tindivanam.
- 2.The Sub Court, Alandur.

**TR CMP No. 101 of 2026
AND
CMP NO. 2334 OF 2026**

26-02-2026