



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HON'BLE MRS.JUSTICE R. KALAIMATHI

TR CMP No.69 of 2026

and

CMP.No.1754 of 2026

M.Moniha
W/o. Jeeva @ P.Rajesh,
No.7/42, South Thottam,
Vayakkadu, Naththamedu,
Kaaraikurichi Pudur,
Kannurpatti Post,
Namakkal District-637 014

..Petitioner(s)

Vs.

Jeeva alias P.Rajesh
S/o.C.Ponnusamy,
No.7/94, East Street,
Nallipalayam And Post,
Namakkal Taluk And District-637003

..Respondent(s)

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, 1908, to withdraw GWOP No.383 of 2025 from the file of the Family Court, Namakkal and transfer the same to the file of the Family Court at Salem.

For Petitioner(s) : Mr.M.R.Thangavel

For Respondent(s): No Appearance

ORDER

Heard the learned counsel for the petitioner.



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2. There is no appearance for the respondent.

3. This Transfer Civil Miscellaneous Petition is moved by the wife to order to withdrawn the G.W.O.P.No.383 of 2025 on the file of the Family Court, Namakkal and to transfer the same to the file of the Family Court, Salem.

4. The learned counsel for the petitioner would submit that the petitioner / wife has filed an application for divorce in H.M.O.P.No.335 of 2025 on the file of the Family Court, Salem and it is pending. He would further submit that the petitioner has been residing permanently at Salem along with her parents and minor child in the address shown in the Transfer C.M.P. To that effect, a copy of Aadhar Card and Birth Certificate of the child are enclosed herewith.

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 G.W.O.P.No.383 of 2025, it appears that petitioner/husband is the resident of Namakkal District (Nallipalayam Village) and the respondent/wife is the resident of Namakkal District (Vayakkadu Village).

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, G.W.O.P.No.383 of 2025 pending on the file of the Family Court, Namakkal is withdrawn and transferred to the file of the Family Court at Salem. The Family Court, Salem on 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.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MAC

To

1. The Family Court, Namakkal

2. The Family Court, Salem



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R.KALAIMATHI, J.

MAC

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