



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. 109 of 2026

AND

CMP NO. 2551 OF 2026

T. Bavatharani

..Petitioner(s)

Vs

R. Naveen Kumar

..Respondent(s)

Prayer: - To withdraw and transfer the HMOP.No.165 of 2025 on the file of the Principal Sub Court, Tindivanam, Villupuram district and transfer the same to the Subordinate Court, Polur, Thiruvannamalai district.

CMP No. 2551 of 2026

To stay all further proceedings in HMOP No.165 of 2025 on the file of the Principal Sub Court, Tindivanam, Villupuram District.

For Petitioner(s): Mr.R.Thirumoorthy

For Respondent(s): Mr.V.S.Mannarsamy



Order

Heard.

2. This Transfer Civil Miscellaneous Petition has been filed by the petitioner/wife under Section 24 of the Code of Civil Procedure seeking withdraw HMOP.No.165 of 2025 pending on the file of the Principal Sub Court, Tindivanam, Villupuram district and transfer of the same to the file of the Subordinate Court, Polur, Tiruvannamalai district.

3.The marriage between the petitioner and the respondent was solemnized on 16.09.2024 at Mayilam Murugan Temple in Villupuram. The respondent/husband has filed petition in HMOP.No.165 of 2025 before the Principal Sub Court, Tindivanam, Villupuram district. The petitioner/wife has also filed maintenance case and Domestic Violence case in Subordinate Court, Polur.

4.The petitioner is the wife. She states that she is residing at Tiruvannamalai with her parents and cannot undertake repeated travel from Tiruvannamalai to Sub Court, Tindivanam, Villupuram district for every hearing causes extreme physical and mental hardship.



5. The learned counsel for the respondent vehemently opposed by stating that the petitioner is not at all residing at Tiruvannamalai.

6. In transfer petitions arising out of matrimonial and allied proceedings, the paramount consideration is the ends of justice and the comparative hardship. When the wife is residing within the jurisdiction of the proposed transferee Court and she is required to travel a long distance to attend every hearing, the Court ordinarily leans in favour of her convenience, particularly when no serious prejudice is shown to be caused to the respondent.

7. In the case on hand, having regard to the petitioner's place of residence at Tiruvannamalai and the pendency of connected matrimonial proceedings at Tiruvannamalai, this Court is satisfied that the transfer sought deserves to be allowed, to avoid hardship and to facilitate effective adjudication.

8. Accordingly, Tr.C.M.P.165 of 2025 is allowed. HMOP. No.165 of 2025 on the file of the Principal Sub Court, Tindivanam, Villupuram district is withdrawn and transferred to the file of the Subordinate Court, Polur, Tiruvannamali district. The Principal Sub Court, Tindivanam,



Villupuram district, shall transmit the entire records to the Subordinate Court, Polur, Tiruvannamalai, within three (3) weeks from the date of receipt of this order and the Subordinate Court, Polur, Tiruvannamalai district shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. Consequently, connected miscellaneous petition is also closed. There shall be no order as to costs.

26-02-2026

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

DPQ

To

1. The Principal Sub Court,
Tindivanam, Villupuram district.
2. The Subordinate Court,
Polur, Tiruvannamalai.



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DR.A.D.MARIA CLETE J.

DPQ

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