



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2026

CORAM

THE HON'BLE MRS.JUSTICE R. KALAIMATHI

TR CMP No.120 of 2025

and

C.M.P.No.2493 of 2025

G.Gayathri
D/o. K.Ganesan,
No. 92, New 74,
East Vanniyar Street,
West K.K.Nagar,
Chennai 78

..Petitioner(s)

Vs.

G.Sathish
S/o. Govindaraj,
Permanently residing at Door No.4/169E,
Semmozhinagar, Pulivalam,
Thiruvvarur – 610001

currently residing at A1 WARDHA Jewellery,
Shop No. 6, Bridge No.2,
Central Market, P.O.Box 31778,
Sharjah, UAE

..Respondent(s)

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, 1908, to withdraw H.M.O.P.No.135 of 2024 pending before the Sub-Court at Thiruvvarur and transfer the same to the III-Additional Family Court, Chennai and tried along with MC No.588 of 2024.

For Petitioner(s) : Mr.S.M.Vidyapathi

For Respondent(s): Mr.B.Manimaran



ORDER

WEB COPY Heard the learned counsel for the petitioner and the learned counsel for the respondent.

2. The petitioner/wife would aver that she finds it difficult to travel to Thiruvavarur in order to attend the O.P., proceedings. It is also stated that she has instituted a maintenance case before the III-Additional Family Court, Chennai in M.C.No.588 of 2024 and the same is pending before the said Court. For the aforesaid reasons, she seeks transfer of the aforesaid O.P., to the III-Additional Family Court, Chennai.

3. The learned counsel for the respondent would submit that, as the respondent is employed in Sharjah, UAE, it is difficult for him to come down and he has got objections to the transfer of the O.P., and sought for dismissal of the Transfer Civil Miscellaneous Petition.

4. 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



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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."

5. On perusal of petition filed in H.M.O.P.No.135 of 2024, it appears that petitioner/husband is the permanent resident of Thiruvavur District (currently residing in Sharjah, UAE) and the respondent/wife is the resident of West K.K.Nagar, Chennai

6. In consideration of the above said details mentioned supra, 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.135 of 2024 pending on the file of the Sub Court, Thiruvavur, is withdrawn and transferred to the file of the III-Additional Family



Court, Chennai, to be tried simultaneously with M.C.No.588 of 2024. The III-Additional Family Court, Chennai 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.

17-03-2026

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

MAC

To

1. The III-Additional Family Court, Chennai
2. the Sub Court, Thiruvavur



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R.KALAIMATHI, J.

MAC

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