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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-04-2026

CORAM

THE HON'BLE MRS.JUSTICE R. KALAIMATHI

TR CMP No.150 of 2026
and CMP Nos.5179 and 5234 of 2026

P.Jebastina Evangeline
D/o.Prince Ashok Kumar

..Petitioner(s)

Vs.

R.David Samuel
S/o G.Ravichandran

..Respondent(s)

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C. seeking to withdraw the IDOP.No. 316 of 2025 on the file of the Family Court, Chengalpattu and transfer the same to the Family Court, Tirunelveli.

For Petitioner(s): Ms.U.Poushali

For Respondent(s): Mr.S.Ramesh

ORDER

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

2.The respondent in IDOP No.316 of 2025 on the file of the Family Court, Chengalpattu is the petitioner herein.

3.The petitioner would aver that her parents are no more and she is residing with her grandmother at Tirunelveli. She would further aver that she



has to travel from Tirunelveli to Chengalpattu for about 608 Km to attend Court hearings and she finds it extremely difficult to attend the same and needs to spend so much of money which she is not affordable.

4.Learned counsel for the petitioner would reiterate the grounds set out in the Petition and seeks to transfer the aforesaid IDOP from the file of Family Court, Chengalpattu to the file of Family Court, Tirunelveli.

5.Learned counsel for the respondent would strenuously contend that if the IDOP is ordered to be transferred to the file of Family Court, Tirunelveli, the respondent (husband) would be put to inconvenience and hardship and seeks for dismissal of the above Transfer CMP.

6.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 travelling 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.



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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.”

7. In consideration of the above said details and also considering the fact that comparative hardship is greater for the petitioner / wife, the request of the petitioner / wife appears to be based on justifiable cause and accordingly, this Transfer Civil Miscellaneous Petition is ordered. Sequel to this, I.D.O.P.No.316 of 2025 pending on the file of the Family Court, Chengalpattu is withdrawn and transferred to the file of the Family Court at Tirunelveli. The learned Judge at the Family Court, Tirunelveli, 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 Petitions are closed.

27-04-2026

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

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To.

1.The Family Court
Chengalpattu

2.Family Court
Tirunelveli

TR CMP No. 150 of 2



R.KALAIMATHI, J.

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