



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 01-04-2026**

CORAM

**THE HON'BLE Mrs JUSTICE R. KALAIMATHI**

TR CMP No.172 of 2026

AND

C.M.P.No.5447 of 2026

B.Meena Shivani

..Petitioner(s)

Vs.

P.Vishal

..Respondent(s)

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw H.M.O.P.No.1788 of 2025 before the VII Additional Principal Family Court, Chennai and transfer the same to the file of the Subordinate Court, Tambaram.

For Petitioner(s) : Mr.R.Rafi Babu

For Respondent(s): Mr.T.Muruganantham

**ORDER**

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

2.The respondent in H.M.O.P.No.1788 of 2025 on the file of the VII Additional Principal Family Court, Chennai, is the petitioner herein.



3.The petitioner would aver that she is a resident of Mambakkam, Chennai 600 127, which is about 40 kilometers from Chennai. For every Court hearing, she finds it very difficult to travel to Chennai to attend the hearings before the Family Court, Chennai.

4.Under such circumstances, the petitioner/wife has filed this Transfer Civil Miscellaneous Petition seeking to transfer the H.M.O.P.No.1788 of 2025 filed by the respondent/husband, which is pending on the file of the VII Additional Principal Family Court, Chennai to the file of the Sub Court, Tambaram.

5.The respondent has got serious objections to transfer the said H.M.O.P. to Sub Court, Tambaram and he has filed a counter affidavit to that effect.

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 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 (2009) 9 SCC 355 (*Lalita A. Ranga Vs. Ajay Champalal Ranja*), 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. On perusal of the petition filed in H.M.O.P.No.1788 of 2025, it appears that the petitioner/wife is resident of Mambakkam, Chennai and the respondent/husband is resident of Anna Nagar, Chennai.

8. In consideration of the above said details, the request of the petitioner/wife appears to be based on justifiable cause and accordingly, this Transfer Civil Miscellaneous Petition is allowed. Sequel to this, H.MO.P.No.1788 of 2025 is ordered to be withdrawn from the file of the VII Additional Principal Family Court, Chennai and transferred to the file of the Sub Court, Tambaram. The learned Sub Judge, Tambaram, on receipt of the records, shall take effective steps to dispose of the matter in accordance with law at the earliest. No Costs. Connected C.M.P. is closed.

**01-04-2026**

Index: Yes/No

Neutral Citation: Yes/No

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*TR CMP No.172 of*



**R.KALAIMATHI, J.**

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To

1. The VII Additional Principal Judge  
Family Court, Chennai

2. The Sub Judge  
Tambaram

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