



WEB COPY

TR CMP No. 146 of 2
and TR.CMP No.1246 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HON'BLE MRS.JUSTICE R. KALAIMATHI

TR CMP No.146 of 2026
and CMP No.4925 of 2026

and

TR.CMP No.1246 of 2025
and CMP No.28599 of 2025

Jayasakthi Hariprasath
S/o. R.Thangavelu,

..Petitioner(s)
in Tr.CMP.146/2026

Preetha
W/o. Jayasakthi Hariprasath

..Petitioner(s)
in Tr.CMP.1246/2025

Vs

Preetha
W/o. Jayasakthi Hariprasath

..Respondent(s)
in Tr.CMP.146/2026

Jayasakthi Hariprasath
S/o. R.Thangavelu,

..Respondent(s)
in Tr.CMP.1246/2025

PRAYER in Tr.CMP.146 of 2026: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C. seeking to withdraw the HMOP.No.217 of 2025 on the file of the Subordinate Court, Ranipet and transfer the same to Family Court at Chennai by appreciating the above said facts and circumstances of the case.

PRAYER in Tr.CMP.1246 of 2025: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C. seeking to withdraw the HMOP.No.92 of 2025 on the file of Sub Court, Bhavani and transferred to be jointly tried along with HMOP No.217 of 2025 on the file of Sub Court, Ranipet.



For Petitioner(s):

Mr.M.Guruprasad – Tr.CMP.146/2026
Mr.R.Rajaraman - Tr.CMP.1246/2025

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For Respondent(s):

Mr.R.Rajaraman – Tr.CMP.146/2026
Mr.M.Guruprasad – Tr.CMP.1246/2025

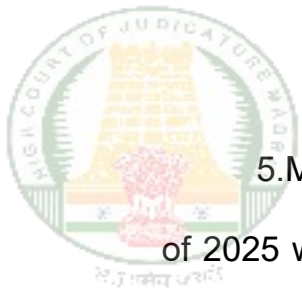
COMMON ORDER

Tr.CMP.No.1246 of 2025 has been filed by the wife, seeking to transfer HMOP No.92 of 2025 pending on the file of Sub Court, Bhavani, to the file of Sub Court, Ranipet, to be jointly tried along with HMOP.No.217 of 2025, on the file of Sub Court, Ranipet.

2.Tr.CMP.No.146 of 2026 has been filed by the husband, seeking to transfer HMOP No.217 of 2025 filed by the wife, which is pending on the file of Sub Court, Ranipet, to transfer the same to the file of Family Court at Chennai.

3.It appears that both of them are doctors and the wife is working at C.M.C. Hospital, Vellore and the husband, who is working in a private hospital at Coimbatore.

4.The petitioner / wife would aver that she is working at C.M.C. Hospital, Vellore and she has 3½ year old child and she finds it difficult to travel to Sub Court, Bhavani from Ranipet for all the Court hearings.



5.Mr.R.Rajarajan, learned counsel for the petitioner in Tr.CMP.No.1246 of 2025 would reiterate the grounds set out in the transfer petition and seeks to transfer HMOP.No.92 of 2025, pending on the file of Sub Court, Bhavani to Sub Court, Ranipet to have a joint trial with HMOP No.217 of 2025.

6.Learned counsel for the respondent / husband per contra would vehemently contend that if the matter is transferred as mentioned supra, that would cause inconvenience and hardship to the respondent / husband and seeks for dismissal of the same.

7.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.

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



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*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.”*

8.In order to avoid conflict of judgments, and in order to have effective
lis, and in consideration of the above said details, the request of the
petitioner / wife appears to be based on justifiable cause and accordingly,
TR.CMP.No.1246 of 2025 is ordered and HMOP No.92 of 2025, pending on
the file of the Sub Court, Bhavani, is withdrawn and transferred to the file of
the Sub Court, Ranipet. Learned Subordinate Judge of Sub Court, Ranipet,
on receipt of the records, shall take effective steps to dispose of the matters in
accordance with law at the earliest. Sequel to this TR.CMP.No.146 of 2026,
filed by the husband stands dismissed. No Costs. Consequently, the
connected Civil Miscellaneous Petitions are closed.

20-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To.

1.The Sub Court
Bhavani

2.The Sub Court
Ranipet



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R.KALAIMATHI, J.

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