



WEB COPY



Tr.C.M.P.No. 313 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2026

CORAM:

THE HONOURABLE DR.JUSTICE A.D. MARIA CLETE

Tr.C.M.P. No.313 of 2025

and

C.M.P. No.6534 of 2025

Aarthi

W/o. Nithyanatham, D/o. Mohanraj Chettiyar,
Flat No.45, Door No.25, Chozhan Street, Devaraj Nagar,
Anakaputhur, Chennai – 600 070.

... Petitioner

Vs

Nithyanatham

S/o. Subramani, No.2/238(24), Sree Devi Garden, Palladam,
Ganapathipallayam, Tiruppur Taluk,
Tiruppur District – 641 605.

... Respondent

Prayer in Tr.C.M.P. No.313 of 2025:

Petition filed under Section 24 of C.P.C., to withdraw H.M.O.P. No.112 of 2024 on the file of the Sub Court, Palladam, Tiruppur District, and transfer the same to the file of the Sub Court, Tambaram, Chengalpattu District, and thus render justice.

Prayer in C.M.P. No.6534 of 2025:

To grant interim stay of all further proceedings in H.M.O.P. No.112 of 2024 pending disposal of the transfer petition.

1/6



Tr.C.M.P.No. 313 of 2025

For Petitioner : Ms.K.Gayathri

For Respondent : Mr.S.B.Viswanathan

ORDER

1. Heard .
2. This Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking withdrawal of H.M.O.P. No.112 of 2024 (filed by the respondent/husband seeking restitution of conjugal rights) from the file of the Sub Court, Palladam, Tiruppur District and transfer of the same to the file of the Sub Court, Tambaram, Chengalpattu District.
3. The case of the petitioner, in brief, is that the marriage between the parties was solemnised on 25.01.2021 and that the petitioner is presently residing at Anakaputhur, Chennai, within the jurisdiction of Tambaram. It is also stated that the petitioner is residing along with the minor male child and, considering the long distance (stated to be about 400 kms) and the petitioner's difficulties in travelling with the child, it would cause grave hardship to attend the proceedings at Palladam.



Tr.C.M.P.No. 313 of 2025

4. The learned counsel for the petitioner would submit that the petitioner is a young woman residing at Chennai with the minor child and that her convenience deserves primacy in matrimonial transfer matters, particularly when the proceedings are initiated by the husband at a distant place.
5. The learned counsel for the respondent, on instructions, would submit that the respondent has filed the counter/appeared pursuant to the orders of this Court and that there is no serious objection for allowing the transfer petition.
6. This Court has considered the rival submissions and perused the material on record. In petitions for transfer arising out of matrimonial proceedings, the consistent judicial approach is to lean in favour of the convenience of the wife, particularly when she is required to travel long distances and/or has the responsibility of caring for a minor child. The object is to ensure effective access to justice and to avoid compelling a party to undertake arduous travel for each hearing.
7. In the case on hand, the petitioner has stated that she is residing within the territorial jurisdiction of Tambaram and that attending the proceedings at Palladam involves long-distance travel of about 400 kms, which would be onerous, especially with the minor child. The respondent has not raised any serious objection to the transfer. Considering the overall circumstances, this



Tr.C.M.P.No. 313 of 2025

Court is of the view that the ends of justice would be met by allowing the transfer.

WEB COPY

8. Accordingly, Tr.C.M.P. No.313 of 2025 is allowed. H.M.O.P. No.112 of 2024 on the file of the Sub Court, Palladam, Tiruppur District, is withdrawn and transferred to the file of the Sub Court, Tambaram, Chengalpattu District. The Sub Court, Palladam, Tiruppur District, shall transmit the entire records to the Sub Court, Tambaram, Chengalpattu District, within three (3) weeks from the date of receipt of this order and the Sub Court, Tambaram, Chengalpattu District, shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. Interim stay granted by this Court on 19.03.2025 shall stand vacated and C.M.P. No.6534 of 2025 is closed. There shall be no order as to costs.

30.01.2026

mfa

Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation: Yes / No



Tr.C.M.P.No. 313 of 2025

WEB COPY

To

1. Sub Court, Palladam, Tiruppur District
2. Sub Court, Tambaram, Chengalpattu District



WEB COPY



Tr.C.M.P.No. 313 of 2025

DR. A.D. MARIA CLETE, J

mfa

Tr.C.M.P. No.313 of 2025
and
C.M.P. No.6534 of 2025

30.01.2026