



WEB COPY

TR CMP No. 245 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2026

CORAM

THE HON'BLE MRS.JUSTICE R. KALAIMATHI

**TR CMP No. 245 of 2026
AND CMP NO. 7960 OF 2026**

Pavithra
W/o.S.Kaliappan,
D/o.Radhakrishnan,
Plot No.80, 81 Maxworth Nagar,
Phase 2, Pon Vidhyasthramam CBDE School,
Kolapakkam, Chennai 122.
Temporarily residing at No.6/42 MGR Nagar,
4th Main Road, Velachery, Chennai 42.

..Petitioner(s)

Vs.

S.Kaliappan
S/o.R.Siva,
D.No.4/8A1, Kudiyanan St,
Dharapuram, Salem 636 309.
Presently residing at
D.No.4/4, Sakthi Nagar,
Maramangalathupatti,Irumpalai,
Salem 636 030.

..Respondent(s)

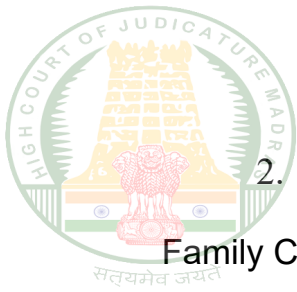
Prayer : This Transfer Civil Miscellaneous Petition is filed to withdraw the petition in HMOP.No.174/2026 from the file of the District Family Court at Salem and transfer the same to the Family Court at Chennai.

For Petitioner(s) : Mr.T.Rekha

For Respondent(s): M/s.K.Kannan

ORDER

Heard the learned counsel for the petitioner (wife) and the learned counsel for the respondent(husband)



2. The respondent (wife) in H.M.O.P.No.174 of 2026 on the file of the Family Court, Salem, is the petitioner herein.

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3. The petitioner / wife would urge the following grounds for transfer :-

- i). She is residing at Velacherry along with her two minor sons. Her first son is studying at Kolapakkam, Chennai.
- ii). She finds it difficult to travel to Salem from Chennai for every hearing, as she has to travel a distance of 330 kms one way.

4. The learned counsel for the petitioner would reiterate the grounds set out in the petition and seeks transfer of the aforesaid O.P. to the Family Court at Chennai.

5. Per contra, the learned counsel for the respondent would state that he has serious objection in allowing this Transfer Civil Miscellaneous Petition.

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



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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."

7. The petitioner is the resident of Chennai and the respondent is the resident of Salem.

8. In consideration of the above said details, 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.MO.P.No.174 of 2026 pending on the file of the District Court, Salem, is withdrawn and transferred to the file of the VI Additional Family Court, Chennai. The learned Judge, VI-Additional Family Court, Chennai, on receipt



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R.KALAIMATHI J.

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of the records, shall take all effective steps to try and dispose of the matter in accordance with law at the earliest. No Costs. Consequently, connected Civil Miscellaneous Petition is closed.

24-04-2026

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

To

- 1.The District Family Court, Salem
2. The Family Court, Chennai.

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