



WEB COPY

TR CMP No. 369 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2026

CORAM

THE HON'BLE MRS.JUSTICE R. KALAIMATHI

TR CMP No. 369 of 2025 & CMP.No.8263 of 2026

Suganya
W/o. Dhanapal, Neikadai Lane, Near Mangai
Beauty Parlour, Thiru Vi.Ka. St, Tiruppur Road,
Kangayam, Tiruppur Dt.

..Petitioner(s)

Vs

Chandru
S/o. Mani, No.1/55, Kudi Street, Muthampatti,
Mettupatti Post, Musiri Taluk, Trichy Dt.

..Respondent(s)

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 151 of C.P.C. to withdraw and transfer the Trial in HMOP No.68 of 2024 on the file of the Sub Court, Musiri, Trichy District to Sub Court, Kangayam, Tiruppur District.

For Petitioner(s): Mr.C.Prakasam

For Respondent(s): Mr.Y.Kaja Navas



ORDER

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

2. The petitioner is the respondent / wife in H.M.O.P.No.68 of 2024 on the file of the Subordinate Court, Musiri which is filed for an order of divorce. The petitioner has filed Maintenance case in M.C.No.9 of 2024 before the Judicial Magistrate, Kangeyam claiming maintenance for herself and for her minor son. She has filed this Transfer Civil Miscellaneous Petition seeking to transfer the said H.M.O.P. to the file of Sub Court, Kangeyam by stating that she finds it difficult to travel from Kangeyam to Musiri for all the hearings.

3. Reiterating the said contention, the learned counsel for the petitioner would further add that she is living in her parents' home along with her four years old child at Kangeyam and she finds it difficult to travel from Kangeyam to Musiri for all the hearing dates.

4. Per contra, the learned counsel for the respondent does not have any serious objection in ordering the Transfer Civil Miscellaneous Petition.

5. The principles regarding transfer petitions, more specifically in the matters of matrimonial cases are well settled by the Honâ'ble Supreme Court in the following cases:-



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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 Honâ 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 Honâ 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.”*

6. On perusal of petition filed H.M.O.P.No.68 of 2024, it appears that petitioner/husband is the resident of Musiri, Trichy District and the respondent/wife is resident of Kangeyam.

7. In consideration of the afore stated details request of the petitioner/wife to transfer H.M.O.P.No.68 of 2024 which is pending before the



Subordinate Court, Musiri appears to be based on justifiable cause and accordingly, this Transfer Civil Miscellaneous Petition is allowed. Sequel to this, H.M.O.P.No.68 of 2024 pending on the file of the Subordinate Court, Musiri is withdrawn and transferred to the file of the Sub Court, Kangeyam. The Subordinate Court, Kangeyam shall take all effective steps to dispose of the HMOP.No.68 of 2024 preferably within a period of eight months from the date of receipt of a copy of this Order. No Costs. Consequently, connected Civil Miscellaneous Petition is closed.

01-04-2026

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

vrc

To

1. The Sub Court, Kangeyam.
2. The Sub Court, Musiri.



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R.KALAIMATHI, J.

VRC

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