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Tr.C.M.P.No.531 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 08.01.2026**

CORAM

**THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**Tr.C.M.P.No.531 of 2025**

**and**

**CMP No.13161 of 2025**

C.Sarumathi

... Petitioner

Vs

M.Chitharasan

... Respondent

**PRAYER in Tr.C.M.P:**

This Transfer Miscellaneous Petition is filed under Section 24 C.P.C., to withdraw the HMOP No.48 of 2025 on the file of the Family Court, Villupuram and transfer the same to the Family Court, Chennai.

**PRAYER in C.M.P:**

To stay all further proceedings in HMOP No.48 of 2025 on the file of the Family Court, Villupuram.

For Petitioner : Mr.R.Dineshkumar

For Respondent : No appearance



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## **ORDER**

Heard .

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2. This Transfer Civil Miscellaneous Petition has been filed by the wife seeking transfer of H.M.O.P. No.48 of 2025 pending on the file of the Family Court, Villupuram, to the file of the Family Court, Chennai.

3. The marriage between the petitioner and the respondent was solemnized according to Hindu rites and customs on 18.10.2020 at Sri Vekka Mahal, Suriya Narayanan Street, Royapuram, Chennai, in the presence of relatives and friends of both families. The petitioner states that the respondent/husband has filed the above H.M.O.P. seeking divorce on the ground of cruelty.

4. The petitioner further states that she is presently residing at Chennai; that Villupuram is about 200 km away; that she has to undertake long travel to attend the hearings; and that she is undergoing medical treatment for her eye due to visual impairment, making such travel difficult. She also states that the Family Court, Chennai is about 5 km from her residence and that transfer would avoid hardship, whereas no prejudice would be caused to the respondent if the matter is transferred.



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5. This Court, while exercising power under Section 24 C.P.C., is required to consider the ends of justice and the comparative convenience of parties. In matrimonial proceedings, the convenience of the wife, particularly when she is residing away from the place of litigation and demonstrates genuine difficulty in attending the Court, deserves due weight. In the present case, the distance involved, coupled with the petitioner's stated medical difficulty and the relative proximity of the transferee Court, persuades this Court to allow the transfer sought.

6. Accordingly, the Transfer Civil Miscellaneous Petition is allowed. It is made clear that this Court has not expressed any opinion on the merits of the matrimonial dispute, and the transferee Court shall decide the matter independently in accordance with law.

7. Accordingly, Tr.C.M.P. No.531 of 2025 is allowed. H.M.O.P. No.48 of 2025 on the file of the Family Court, Villupuram, is withdrawn and transferred to the file of the Family Court, Chennai.

The Family Court, Villupuram, shall transmit the entire records to the Family



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Court, Chennai, within three (3) weeks from the date of receipt of this order and the Family Court, Chennai 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 11.06.2025 shall stand vacated and C.M.P. No.13161 of 2025 is closed. There shall be no order as to costs.

**08.01.2026**

*mfa*

Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation: Yes / No

To

1. Family Court, Villupuram.
2. Family Court, Chennai.



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*Tr.C.M.P.No.531 of 2025*

**DR. A.D. MARIA CLETE, J**

*mfa*

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and  
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**08.01.2026**