



WEB COPY

TR CMP No. 573 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-02-2026

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THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

TR CMP No. 573 of 2025

and

CMP No. 14047 of 2025

S.Sathroobavathi

..Petitioner

Vs

M.Suresh

..Respondent

Prayer in TR CMP No. 573 of 2025: Petition filed under section 24 of CPC to withdraw the HMOP.No.106 of 2024 on the file of the Subordinate Court at Vandhavasi and transfer the same of the Subordinate Court, at Poonamallee.

Prayer in CMP No. 14047 of 2025: Petition to stay all further proceedings in HMOP.No.106 of 2024 on the file of the Subordinate Court at Vandhavasi, Pending disposal of the above TR CMP.

For Petitioner:

Ms.M.Idhaya Mary

For Respondent:

Mr.K.Madasamy



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Heard.

TR CMP No. 573 of 2



Order

2. This Transfer Civil Miscellaneous Petition is filed under Section 24(1) C.P.C. to withdraw H.M.O.P. No.106 of 2024 pending on the file of the Sub Court, Vandhavasi and to transfer the same to the file of the Sub Court, Poonamallee. The connected miscellaneous petition is filed seeking interim stay.

3. The petitioner is the wife and the respondent is the husband. The marriage between the parties was solemnized on 30.04.2017 as per Hindu rites and customs. Out of the wedlock, a female child was born on 11.03.2018 and she is presently under the care of the petitioner.

4. The respondent/husband has instituted H.M.O.P. No.106 of 2024 on the file of the Sub Court, Vandhavasi, seeking dissolution of marriage on the grounds of cruelty and desertion.

5. The learned counsel for the petitioner submitted that the petitioner is residing at Poonamallee along with the minor child. It is submitted that the petitioner is a home-maker and that no maintenance is being provided. It is further submitted



that attending the proceedings at Vandhavasi entails long and repeated travel, considerable expenditure and practical difficulty, especially since the petitioner has to take care of the minor child.

6. Per contra, the learned counsel for the respondent submitted that the respondent is residing at Chennai and that he has to take care of his aged parents.

7. This Court has considered the rival submissions. In matrimonial transfer petitions, the Court is required to weigh the balance of convenience and the comparative hardship. The petitioner is residing at Poonamallee with a minor child and has pleaded lack of maintenance. The proceedings are pending at Vandhavasi, requiring the petitioner to undertake long travel for each hearing. On the other hand, the respondent is also stated to be residing at Chennai. Therefore, transfer to Poonamallee would not cause any serious prejudice to the respondent. In the above circumstances, this Court is satisfied that the Transfer Civil Miscellaneous Petition deserves to be allowed.

8. Accordingly, Tr.C.M.P. No.573 of 2025 is allowed. H.M.O.P. No.106 of 2024 on the file of the Sub Court, Vandhavasi, is withdrawn and transferred to the file of the Sub Court, Poonamallee. The Sub Court, Vandhavasi, shall transmit the entire records to the Sub Court, Poonamallee, within three (3)



weeks from the date of receipt of this order and the Sub Court, Poonamallee 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 23.06.2025 shall stand vacated and C.M.P. No.14047 of 2025 is closed. There shall be no order as to costs.

11-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SHL

To

1. The Subordinate Court, Vandhavasi
2. The Subordinate Court, Poonamallee.



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DR.A.D.MARIA CLETE J.

SHL

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AND
CMP NO. 14047 OF 2025**

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