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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-11-2026

CORAM

THE HON'BLE MRS.JUSTICE N. MALA

TR CMP No. 493 of 2026 & 14306 of 2026

Vijayalakshmi
D/o.R.M.Nachiyappan,
No.43/38, Somasundaram 6th Street,
Ayanavaram,
Chennai 600 023.

..Petitioner(s)

Vs

Venkatachalam
S/o.Palaniyappan,
Permanent Address at,
No.20 AR.A Street,
Kallukatti,
Karaikudi,
Sivagangai Dist.

..Respondent(s)

Prayer : Transfer Civil Miscellaneous Petition filed under section 24 of CPC to withdraw and transfer HMOP.No.22 of 2026 pending on the file of the Honble Sub Court at Devakottai to the Honble Family Court at Chennai.

For Petitioner(s): MRS.R.SUMITHRA

for Mr. S.Chakkaravarthi

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ORDER

The petitioner/wife has filed the Transfer Miscellaneous Petition to withdraw H.M.O.P.No.22 of 2026 pending on the file of the Sub Judge, Devakottai and transfer the same to Family Court, Chennai.

2. The petitioner states that the marriage between her and the respondent was solemnized on 17.092024 as per Hindu rites and customs with the blessings of the elders and well wishers and out of the wedlock, the couple have no issues. The petitioner further states that after the marriage, matrimonial discord arose between the couple and consequently, the respondent filed HMOP.22 of 2026 before the Sub Court, Devakottai for divorce on the ground of cruelty. The petitioner in her affidavit after referring to various instances of ill-treatment by the respondent and his parents states that she filed DVC No.11 of 2026 before the Additional Mahila Court, Magisterial level, Egmore, Chennai. The petitioner further states that due matrimonial discord, she was forced to stay at her parental home, in Aynavaram Chennai. The petitioner further states that she is finding it extremely inconvenient, physically, mentally and financially to travel from Chennai to Devakottai covering a distance of 900 kms back and forth to attend the matrimonial proceedings instituted by the respondent. The petitioner therefore filed the petition for transfer.

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3. Though notice has been served to the respondent, he has not appeared either through his counsel or by himself.

4. It is trite that in matrimonial proceedings, the convenience of the wife takes precedence over the husband. It is the case of the petitioner that the respondent is also residing in Chennai which is evident from the address given by him in the HMOP filed by him for divorce. The petitioner states that she is residing at Aynavaram along with her parents and that she has to travel 900 kms up and down to attend matrimonial proceedings instituted by the respondent. Under the circumstances, I find that the balance of convenience is in favour of the petitioner.

5. Hence, the HMOP.No.22 of 2026 pending on the file of the Principal Sub Court, Devakottai is withdrawn and transferred to Family Court, Chennai.

6. This Transfer Civil Miscellaneous Petition is accordingly allowed. There shall be no Order as to costs. Consequently, connected miscellaneous petition is closed.

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

vrc

To

1. The Family Court,
Devakottai.

2. The Family Court,
Chennai.

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N.MALA, J.

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