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Tr.C.M.P.No.549 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2026

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THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P.No.549 of 2025

and

CMP No.13486 of 2025

L.Sarulatha

... Petitioner

Vs

S.Sathiyabalaji

... Respondent

PRAYER in Tr.C.M.P.:

This Transfer Miscellaneous Petition is filed under Section 24 C.P.C., to withdraw H.M.O.P. No.22 of 2024 from the file of the Subordinate Court, Tambaram and transfer the same to the file of the Family Court, Chennai.

Prayer in C.M.P. No.13486 of 2025: Petition to stay all further proceedings in H.M.O.P. No.22 of 2024 on the file of the Subordinate Court, Tambaram, pending disposal of the Transfer Civil Miscellaneous Petition.

For Petitioner : Mr.t.Karthick Srinath
for M/s.K.M.Vijayan Associates

For Respondent : No appearance



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ORDER

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1. Heard .
2. The present Transfer Civil Miscellaneous Petition is filed by wife seeking withdrawal of H.M.O.P. No.22 of 2024 from the file of the Subordinate Court, Tambaram and transfer of the same to the file of the Family Court, Chennai.
3. The marriage between the petitioner and the respondent is stated to have been solemnized on 08.09.2021 at Arulmigu Subramaniya Swamy Sannathi, Thirupparakundram, Madurai, and again on 16.09.2021 at ArulmiguSubramaniya Swamy Temple, Tiruchendur.
4. The petitioner/wife states that the respondent/husband has instituted H.M.O.P. No.22 of 2024 at Tambaram seeking dissolution of marriage and that she is presently residing with her brother in Chennai by paying rent and, owing to threat/harassment, she is unable to appear before the Subordinate Court, Tambaram.
5. The petitioner specifically pleads that the balance of convenience is in her favour and that non-transfer would cause grave hardship.



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6. In matrimonial transfer petitions, this Court, while exercising jurisdiction under Section 24 C.P.C., is required to ensure that the parties are not subjected to avoidable hardship and that access to justice is meaningful. Considering the circumstances pleaded, this Court is of the view that the ends of justice would be served by transferring the proceedings as sought for.

7. Accordingly, Tr.C.M.P. No.549 of 2025 is allowed.H.M.O.P. No.22 of 2024 on the file of the Subordinate Court, Tambaram, is withdrawn and transferred to the file of the Family Court, Chennai. The Subordinate Court, Tambaram, shall transmit the entire records to the Family Court, Chennai, within three (3) weeks from the date of receipt of a copy 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 18.06.2025 shall stand vacated and C.M.P. No.13486 of 2025 is closed. There shall be no order as to costs.

02.01.2026

mfa

Index: Yes / No

Speaking Order / Non-speaking Order

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Neutral Citation: Yes / No

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To

1. Subordinate Court, Tambaram
2. Family Court, Chennai



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DR. A.D. MARIA CLETE, J

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**Tr.C.M.P.No.549 of 2025
and
CMP No.13486 of 2025**

02.01.2026