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Tr.C.M.P.No.790 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P.No.790 of 2025

and

C.M.P.No.18204 of 2025

Jayasri

... Petitioner

Vs

Muthuraja

... 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.99 of 2024 pending on the file of the Family Court, Villupuram and transfer the same to the Family Court, Cuddalore.

PRAYER in C.M.P:

To grant interim stay of all further proceedings in H.M.O.P. No.99 of 2024 pending on the file of the Family Court, Villupuram, pending disposal of the Transfer Civil Miscellaneous Petition.

For Petitioner : Mr.P.K.Harinath Babu

For Respondent : Mr.T.Elumalai



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ORDER

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Heard.

2. The present Transfer Civil Miscellaneous Petition has been filed by the petitioner/wife seeking transfer of H.M.O.P. No.99 of 2024 (instituted by the respondent/husband for divorce) from the file of the Family Court, Villupuram to the file of the Family Court, Cuddalore.

3. The case of the petitioner, in brief, is that the marriage between the petitioner and the respondent was solemnized on 30.01.2020 at Villupuram, and a female child was born to them on 30.09.2021. The petitioner states that she is residing at Cuddalore along with her minor child and aged parents, and that she is unable to travel frequently to Villupuram to attend the hearings. She further states that she is also a Doctor, is taking care of the minor child, her parents are aged and in ill-health requiring regular medical attention, and that the respondent is working as a doctor in the Government Hospital at Villupuram; she also apprehends harassment if she is compelled to attend proceedings at Villupuram.



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4. It is well settled that in transfer petitions arising out of matrimonial proceedings, the convenience of the wife and the minor child, the feasibility of attending the Court on each and every hearing, the availability of assistance, and comparative hardship are relevant considerations. The transfer jurisdiction under Section 24 CPC is to be exercised to advance the ends of justice and to avoid undue hardship.

5. In the case on hand, the petitioner/wife has placed sufficient reasons showing difficulty in undertaking frequent travel, coupled with her responsibility of taking care of the minor child and aged parents. On the other hand, the respondent is stated to be employed at Villupuram and would not be put to comparable hardship if the matter is tried at Cuddalore. Considering the totality of circumstances, this Court is of the view that the balance of convenience and the ends of justice warrant transfer as sought for.

6. Accordingly, Tr.C.M.P. No.790 of 2025 is allowed. H.M.O.P. No.99 of 2024 on the file of the Family Court, Villupuram, is withdrawn and transferred to the file of the Family Court, Cuddalore.



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The Family Court, Villupuram, shall transmit the entire records to the Family Court, Cuddalore, within three (3) weeks from the date of receipt of copy of this order and the Family Court, Cuddalore 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 31.07.2025 shall stand vacated and C.M.P. No.18204 of 2025 is closed. There shall be no order as to costs.

06.01.2026

mfa

Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation: Yes / No

To

1. Family Court, Villupuram

2. Family Court, Cuddalore



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DR. A.D. MARIA CLETE, J

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**Tr.C.M.P.No.790 of 2025
and
C.M.P.No.18204 of 2025**

06.01.2026