



WEB COPY

TR CMP No. 619 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-02-2026

CORAM

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

TR CMP No. 619 of 2025

and

CMP NO. 14913 of 2025

V.Saranya

..Petitioner

Vs

N.Kalaimani

..Respondent

Prayer in TR CMP No. 619 of 2025: Petition filed under section 24 of CPC to withdraw and Transfer the HMOP No. 27 of 2025 pending on the file of the Honble II Family Court, Mannarkudi and transfer the same to the Family Court at Neyveli.

Prayer in CMP No. 14913 of 2025: Petition to stay all further proceedings in the Honble II Family Court, Mannarkudi in HMOP No. 27 of 2025, pending disposal of the above Tr.Cmp.

For Petitioner:

Mr.M.Rajavelpraveen

For Respondent:

Mr.R.Nalliyappan

**ORDER**

WEB COPY Heard.

2. This Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking withdrawal of H.M.O.P. No.27 of 2025 from the file of the II Family Court, Mannarkudi and to transfer the same to Neyveli.

3. The marriage between the petitioner and the respondent was solemnized on 19.11.2023. It is stated that the respondent/husband has instituted H.M.O.P. No.27 of 2025 a petition under Section 13(1)(ia)(ib) of the Hindu Marriage Act before the Sub Court, Tambaram

4. The case of the petitioner is that she is residing at Neyveli, Cuddalore District, and that it is extremely difficult for her to travel to Mannarkudi and attend each hearing. She has also stated that D.V.C No. 16 of 2024 filed by her is pending before the District Munsif Cum Judicial Magistrate , Neyveli and posted for petitioner side evidence, and therefore, she seeks transfer to Neyveli to avoid hardship and to effectively contest the matrimonial proceedings.

5. The learned counsel for the petitioner submitted that the distance between Neyveli and Mannarkudi is substantial and the petitioner would be put



to serious hardship in undertaking repeated travel; that the petitioner has to take care of her aged parents; and that the respondent has filed the proceedings at Mannarkudi only to make the petitioner travel and suffer.

6. It is further submitted by the learned counsel for the petitioner that though the Transfer Petition originally sought transfer to “Family Court, Neyveli”, a memo is being filed, pointing out that there is no Family Court at Neyveli, and therefore, the petitioner seeks transfer to the Sub Court, Neyveli, being the competent forum having jurisdiction to try matrimonial original petitions.

7. Per contra, the learned counsel for the respondent strongly opposed the transfer, contending that the petition is filed only to delay the proceedings and that the respondent would be put to inconvenience if the matter is transferred.

8. This Court has considered the submissions. In matrimonial matters, the Court ordinarily gives due weight to the convenience of the wife and the attendant circumstances, particularly where the travel involved is long and repeated, and where connected proceedings are pending in the place where transfer is sought.

9. In the present case, the petitioner/wife is residing at Neyveli. She has



placed before this Court the hardship in undertaking long travel for every hearing, and has also pointed out that proceedings under the Domestic Violence Act are pending at Neyveli, requiring her presence there.

10. As regards the forum, in view of the memo stated to be filed that there is no Family Court at Neyveli, the request is accepted to transfer the proceedings to the Sub Court, Neyveli, which is the appropriate Court to try the matter.

11. Accordingly, Tr.C.M.P. No.619 of 2025 is allowed. H.M.O.P. No.27 of 2025 on the file of the II Family Court, Mannarkudi, is withdrawn and transferred to the file of the Sub Court, Neyveli. The II Family Court, Mannarkudi, shall transmit the entire records to the Sub Court, Neyveli, within three (3) weeks from the date of receipt of this order and the Sub Court, Neyveli 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 02.07.2025 shall stand vacated and C.M.P. No.14913 of 2025 is closed. There shall be no order as to costs.

05-02-2026

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

SHL



To

1. The II Family Court, Mannarkudi
2. The Family Court at Neyveli



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DR.A.D.MARIA CLETE J.

SHL

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