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Tr.CMP No.674 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 09.01.2026**

CORAM

**THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**Tr.CMP.No.674 of 2025**

**and**

**CMP.No.16101 of 2025**

Sindhika

...Petitioner

Vs

Ilaiyaraja

...Respondent

**Prayer in Tr.CMP.No.674 of 2025:** Petition filed under Section 24 of C.P.C., to withdraw and transfer the H.M.O.P.No.169 of 2021 from the file of the Sub Court, Harur, to the file of the Sub Court, Mettur.

**Prayer in CMP No.16101 of 2025:** Petition filed under Section 151 of C.P.C., to stay the all further proceedings in H.M.O.P.No.169 of 2021 on the file of the Sub Court, Harur, pending disposal of the Transfer Civil Miscellaneous Petition.

For Petitioner : Mr.R.T.Vishnu

For Respondent : No appearance



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## **ORDER**

Heard.

2. This Transfer Civil Miscellaneous Petition has been filed by the wife seeking transfer of H.M.O.P.No.169 of 2021 from the file of the Sub Court, Harur to the file of the Sub Court, Mettur.

3. The petitioner would state that the marriage between the parties was solemnized on 29.11.2009 and a male child was born to them, who is stated to be in school-going age and is under her care. The petitioner is stated to be residing at Kolathur, Mettur Taluk, Salem District. She would submit that the distance to Harur is substantial and that she is put to hardship in travelling for every hearing, apart from her responsibility of taking care of the child and attending to his studies.

4. It is also stated that earlier proceedings MC.No.06 of 2013 and D.V.O.P.No.07 of 2014 between the parties were before the Judicial Magistrate No.I at Mettur and that the respondent had participated in those proceedings by



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engaging counsel and therefore, no prejudice would be caused to the respondent if the matrimonial original petition is transferred to Mettur.

5. Transfer of matrimonial proceedings is governed by considerations of convenience, comparative hardship, and the ends of justice. In matters where the wife is stated to be residing at a different place with the child in her care and demonstrates genuine difficulty in travelling, Courts ordinarily lean in favour of transfer to avoid undue hardship, provided no serious prejudice is shown to the other side. Considering the submissions of petitioner, the transfer sought would subserve the ends of justice.

6. Accordingly, Tr.C.M.P.No.674 of 2025 is allowed. H.M.O.P.No.169 of 2021 on the file of the Sub Court, Harur, is withdrawn and transferred to the file of the Sub Court, Mettur. The Sub Court, Harur, shall transmit the entire records to the Sub Court, Mettur, within three (3) weeks from the date of receipt of this order and the Sub Court, Mettur shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. Interim stay



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granted by this Court on 10.07.2025 shall stand vacated and C.M.P.No.16101 of 2025 is closed. There shall be no order as to costs.

**09.01.2026**

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Index: Yes/No  
Neutral Citation: Yes/No  
Internet: Yes



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To

- 1.The Sub Court, Harur.
- 2.The Sub Court, Mettur.



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**DR. A.D.MARIA CLETE, J**

dpq

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and CMP No.16101 of 2025**

**09.01.2026**