



WEB COPY



Tr.C.M.P.No.716 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P.No.716 of 2025

and

CMP No.16752 of 2025

Nathiya

... Petitioner

Vs

Rajesh

... Respondent

PRAYER in Tr.C.M.P:

This Transfer Miscellaneous Petition is filed under Section 24 C.P.C., to withdraw and transfer HMOP No.60 of 2024 pending on the file of the Subordinate Court, Rasipuram to the file of the Family Court, Salem.

PRAYER in C.M.P:

To stay all further proceedings in HMOP No.60 of 2024 pending on the file of the Subordinate Court, Rasipuram pending disposal of the above transfer petition.

For Petitioner : Mr.t.S.Vijaya Raghavan

For Respondent : No appearance



and related requirements. She further states that she is dependent on her parents and the recurring travel expenses add to the hardship.

5. In matrimonial transfer petitions, the paramount consideration is to secure the ends of justice; ordinarily, the convenience of the wife, particularly when she is residing with and attending to a minor child, deserves due weight. In the case on hand, the petitioner is residing at Salem with the minor child and a connected matrimonial proceeding is also stated to be pending at Salem.
6. In the overall facts and circumstances, this Court is satisfied that no serious prejudice would be caused to the respondent if the matter is tried at Salem, whereas refusal of transfer would result in avoidable hardship to the petitioner.
7. Accordingly, Tr.C.M.P. No.716 of 2025 is allowed. H.M.O.P. No.60 of 2024 on the file of the Subordinate Court, Rasipuram, is withdrawn and transferred to the file of the Family Court, Salem. The Subordinate Court, Rasipuram, shall transmit the entire records to the Family Court, Salem, within three (3) weeks from the date of receipt of this



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order and the Family Court, Salem 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 17.07.2025 shall stand vacated and C.M.P. No.16752 of 2025 is closed. There shall be no order as to costs.

19.01.2026

mfa

Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation: Yes / No

To

1. Subordinate Court, Rasipuram

2. Family Court, Salem



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DR. A.D. MARIA CLETE, J

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