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Tr.CMP No.904 and 905



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-01-2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

TR CMP Nos. 904 and 905 of 2025

A. Muthulakshmi

...Petitioner in both Tr.CMP Nos.

Vs

J.Sundareswaran

...Respondent in both Tr.CMP Nos.

Prayer in Tr.CMP No.904 of 2025:

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, pleased to withdraw HMOP.No.417 of 2020 filed by the Petitioner/Wife to be transferred from Family Court at Madurai to the Family Court, at Chennai.

Prayer in Tr.CMP No.905 of 2025:

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, pleased to withdraw HMOP.No.533 of 2021 filed by the Respondent/Husband to be transferred from Family Court at Madurai to the Family Court, at Chennai.

For Petitioner(s) : M/s.T. Kokilavane

For Respondent(s) : No appearance



ORDER

1. Heard.

2. The petitioner and the respondent are spouses. The petitioner states that out of the wedlock, a minor child was born on 15.07.2017 and the child is presently studying at Sai Matriculation Hr. Sec. School, Madipakkam.
3. The petitioner further states that due to matrimonial differences, proceedings came to be initiated between the parties. The petitioner's H.M.O.P. No.417 of 2020 is pending on the file of the Family Court, Madurai and the respondent's H.M.O.P. No.533 of 2021 is also pending on the file of the Family Court, Madurai.
4. It is the case of the petitioner that she has moved to Chennai and is residing along with the minor child at Chennai. It is also stated that the respondent is now residing at Chennai and is employed in Chennai.
5. According to the petitioner, in view of the minor child being with her and both parties presently being in Chennai, compelling her to travel to Madurai for every hearing would cause hardship and inconvenience and no prejudice would be caused to the respondent if both the proceedings are tried by the Family Court, Chennai.
6. This Court has considered the above submissions. In transfer petitions arising out of matrimonial proceedings, the convenience of the wife and the



welfare/attendant circumstances relating to the minor child are relevant considerations. When both parties are stated to be residing at Chennai and two connected matrimonial proceedings between the same parties are pending at Madurai, the ends of justice would be served by ordering transfer so that both matters are tried together by the same Court, avoiding multiplicity and conflicting findings.

7. Accordingly, Tr.C.M.P. Nos. 904 and 905 of 2025 are allowed. H.M.O.P. No.417 of 2020 and H.M.O.P. No.533 of 2021, on the file of the Family Court, Madurai, are withdrawn and transferred to the file of the Family Court, Chennai. The Family Court, Madurai, 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 matters, in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. The interim stay granted by this Court on 26.08.2025 shall stand vacated. There shall be no order as to costs.

08.01.2026

Index:Yes/No
Neutral Citation:Yes/No
Internet:Yes
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DR. A.D.MARIA CLETE

dsn

To

1. The Family Court, Madurai.
2. The Family Court, Chennai.

TR CMP Nos. 904 and 905 of 2025

08.01.2026