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Tr.C.M.P.No.656 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P.No.656 of 2025

and

C.M.P.No.15753 of 2025

Tmt.Tamilarasi

... Petitioner

Versus

Thiru.P.Vivek

... Respondent

Prayer in Tr.C.M.P.No.656 of 2025: Petition filed under Section 24 of C.P.C., to withdraw the H.M.O.P.No.51 of 2025 on the file of the Sub Court, Thiruvarur, and to transfer the same to the Sub Court, Alandur, Chennai, as already trial of D.V.C.No.68 of 2024 and M.C.No.53 of 2024 before the Mahila Court – Alandur proceedings pending there.

Prayer in C.M.P.No.15753 of 2025: Petition filed under Section 151 of C.P.C., to stay the proceedings in H.M.O.P.No.51 of 2025 on the file of the Subordinate Court, Thiruvarur, Thiruvarur District, pending disposal of the Transfer Civil Miscellaneous Petition.

For Petitioner : Mr.D.Edwin Yovan Raj

For Respondent : Mr.R.Sankarasubbu



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ORDER

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2. This Transfer Civil Miscellaneous Petition has been filed by the wife / petitioner seeking transfer of H.M.O.P.No.51 of 2025 from the file of the Sub Court, Thiruvarur, to the file of the Sub Court, Alandur, Chennai.

3. The petitioner is the wife of the respondent. Their marriage was solemnized on 25.11.2018 at Thiruvarur, and a female child V.Krishna Shree was born on 14.08.2019. The petitioner states that she is residing at Chennai and has already initiated proceedings in Chennai, viz., D.V.C.No.68 of 2024 and M.C.No.53 of 2024 under Section 125 CrPC, seeking protection and maintenance for herself and the minor child before the learned Magistrate, Alandur.

4. While so, the respondent has filed H.M.O.P.No.51 of 2025 before the Sub-Court, Thiruvarur seeking dissolution of marriage. Hence, the present Transfer Civil Miscellaneous Petition has been filed seeking transfer of the said H.M.O.P. to the Sub-Court, Alandur, Chennai.



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5. The petitioner has pleaded that she has no independent income, is under treatment for heart ailment, and is constrained to take care of the minor child; she further states that travel to Thiruvavarur (over 300 km) is extremely difficult and that she has no support there. On the other hand, the respondent is stated to be employed at Singapore and is in a position to attend proceedings at Chennai.

6. In matrimonial transfer petitions, the convenience of the wife and the overall interest of justice are relevant considerations. In the case on hand, the petitioner is residing at Chennai with the minor child; the connected proceedings are already pending at Chennai. Considering the petitioner's stated medical condition and the hardship in undertaking long-distance travel, this Court is satisfied that the prayer for transfer deserves to be ordered.

7. Accordingly, Tr.C.M.P.No.656 of 2025 is allowed. H.M.O.P.No.51 of 2025 on the file of the Sub-Court, Thiruvavarur, is withdrawn and transferred to the file of the Sub-Court, Alandur, Chennai. The Sub-Court, Thiruvavarur, shall transmit the entire records to the Sub-Court, Alandur, Chennai, within three (3) weeks from the date of receipt of this



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order and the Sub-Court, Alandur, Chennai 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 08.07.2025 shall stand vacated and C.M.P.No.15753 of 2025 is closed. There shall be no order as to costs.

09.01.2026

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Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation: Yes / No



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To

1.The Sub Court, Thiruvavarur.

2.The Sub Court, Alandur, Chennai.



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DR. A.D. MARIA CLETE, J

cda

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and
C.M.P.No.15753 of 2025**

09.01.2026