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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2026

CORAM

THE HON'BLE MRS.JUSTICE N. MALA

TR CMP No. 599 of 2026
and
CMP No. 16674 of 2026

N.Kavitha
W/o. Udhayakumar,
D/o. Natarajan,
No.852, LIG.II,
4th Avenue, TNHB Colony,
Velachery,
Chennai 600 042.

..Petitioner(s)

Vs

P.Udayakumar
S/o. C.Parasuraman,
Kamarajar Street, Kaveripakkam,
Nemili Taluk,
Ranipet District 631 201.

..Respondent(s)

Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, to withdraw the proceedings in H.M.O.P. No.80 of 2026 on the file of the Subordinate Judge Court, Arakkonam, Ranipet District and transfer the same to the Family Court, High Building Complex, Chennai.

For Petitioner(s): Mr.Thanigaivel A

For Respondent(s): M/s.S.Suriya Badrinath

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ORDER

(1)The wife has filed the present Transfer Civil Miscellaneous Petition to transfer H.M.O.P.No.80 of 2026, pending on the file of the Subordinate Judge Court, Arakkonam, Ranipet District to the Family Court, at Chennai.

(2) The petitioner and the respondent were married on 04.09.2020, at Ranipet as per Hindu rites and customs. While so, matrimonial disputes arose between the parties, which resulted in filing of H.M.O.P.No.80 of 2026 on the file of the Sub-Court, Arakkonam, Ranipet District by the respondent for divorce on the ground of mental cruelty. The petitioner in her affidavit states that she is residing at Velachery, Chennai and she is finding it extremely difficult to travel all the way from Chennai to Arakkonam to contest the matrimonial proceedings. Therefore, the petitioner filed the present transfer petition.

(3) The respondent has filed detailed counter denying all the allegations and contentions raised by the petitioner in her affidavit. The respondent has stated that he has aged parents and that his father is suffering from decreased conscious and complete loss of orientation for the past 3 years. The respondent has stated that his father is entirely bedridden and requires physical assistance for his basic survival. The respondent further stated that his mother is also aged and that she is incapable of attending to his bedridden

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father. The respondent states that the entire burden is on him to take care of his aged parents. The respondent therefore stated that if the present proceeding is transferred from Sub-Court, Arakkonam to Family Court, Chennai, it would cause him undue hardship. The respondent hence prayed to dismiss the petition.

(4) I heard both the learned counsels and perused the materials placed on record.

(5) It is trite that in matrimonial matters, convenience of the wife takes precedence over that of the husband. However, it is not a hard and fast rule and it depends entirely on the facts of each case. In the present case, the petitioner in her affidavit merely states that she is currently residing at Velacherry, Chennai and she is finding it difficult to travell from Chennai to Arakkonam and that no prejudice would be caused to the respondent by the transfer of the case to the Family Court, Chennai, which is nearer to her residence.

(6) In the considered view of this Court, merely because the Family Court at Chennai is nearer to the petitioner’s residence, proceedings cannot be transferred, so as to suit the convenience of the petitioner. Moreover, Arakkonam is directly and seamlessly connected to Chennai with frequent

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local sub-urban trains and local services. The prayer for transfer appears to be founded purely on considerations of personal convenience without being occasioned by any hardship or compelling circumstances like medical, financial or other grounds. Hence, this Court finds no merit in the Transfer Civil Miscellaneous Petition and hence, the same is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

05-11-2026

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

To
1. The Subordinate Judge,
Arakonam.

2. The Judge,
Family Court.

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N.MALA J.

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