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Tr.C.M.P.No.655 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.655 of 2025

and

CMP No.15731 of 2025

M.Meena

... Petitioner

Vs

P.Manikandan

... Respondent

PRAYER in Tr.C.M.P:

This Transfer Miscellaneous Petition is filed under Section 24 C.P.C., to withdraw the HMOP No.54 of 2025 from the file of the Sub Court, Palladam and transfer the same to the Sub Court, Harur.

PRAYER in C.M.P:

To stay all further proceedings in HMOP No.54 of 2025 pending on the file of the Sub Court, Palladam, pending disposal of the main Transfer Civil Miscellaneous Petition.

For Petitioner : Mr.J.Pradeep

For Respondent : No appearance



Tr.C.M.P.No.655 of 2025

ORDER

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Heard

2. This Transfer Civil Miscellaneous Petition is filed by the wife under Section 24 of the Code of Civil Procedure, seeking withdrawal of H.M.O.P. No.54 of 2025 from the file of the Sub Court, Palladam, Tiruppur District and transfer of the same to the file of the Sub Court, Harur, Dharmapuri District.
3. The case in H.M.O.P. No.54 of 2025 has been instituted by the respondent/husband seeking dissolution of marriage under the Hindu Marriage Act, 1955. The petitioner states that the marriage between the parties was solemnized on 17.02.2013, and out of the wedlock, a female child was born on 10.12.2015, who is stated to be a minor.
4. The petitioner would submit that owing to matrimonial misunderstandings, she is residing at her native place at Harur Taluk, Dharmapuri District, along with the minor child and aged parents; that she has no independent income; and that she is unable to undertake frequent travel to Palladam, which is stated to be about 225 kms away, involving long hours and multiple modes of transport. It is also her case that there is none to take care of the minor



Tr.C.M.P.No.655 of 2025

child during her absence and that compelling her to travel would cause hardship and prejudice.

5. The petitioner has further expressed apprehension of difficulty and threat in attending the proceedings at Palladam and submits that the Sub Court, Harur, within whose jurisdiction she resides, is convenient and competent to try the matter.
6. It is well settled that in matrimonial proceedings, while considering transfer, the convenience of the wife ordinarily deserves paramount consideration, particularly where she is residing separately with a minor child and claims lack of independent income. In the present case, the petitioner has placed reasons showing genuine hardship in attending the proceedings at Palladam on every hearing date, owing to the distance, financial constraints, and child-care responsibility.
7. This Court also finds that no serious prejudice would be caused to the respondent/husband if the matter is tried at Harur, whereas denial of transfer would result in real difficulty to the petitioner in effectively contesting the H.M.O.P., thereby affecting her access to justice. On an overall consideration, this Court is satisfied that the petitioner has made out a case for transfer.



Tr.C.M.P.No.655 of 2025

8. Accordingly, Tr.C.M.P. No.655 of 2025 is allowed. H.M.O.P. No.54 of 2025

on the file of the Sub Court, Palladam, is withdrawn and transferred to the file of the Sub Court, Harur. The Sub Court, Palladam, shall transmit the entire records to the Sub Court, Harur, within three (3) weeks from the date of receipt of this order and the Sub Court, Harur 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 07.07.2025 shall stand vacated and C.M.P. No.15731 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. Sub Court, Palladam

2. Sub Court, Harur

4/5



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Tr.C.M.P.No.655 of 2025

DR. A.D. MARIA CLETE, J

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**Tr.C.M.P.No.655 of 2025
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CMP No.15731 of 2025**

19.01.2026