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Tr.C.M.P.No.657 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2026

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THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P.No.657 of 2025

and

CMP No.15764 of 2025

R.Hemabanu

... Petitioner

Vs

Ranganathan

... Respondent

Prayer in Tr.C.M.P. No.657 of 2025: Petition filed under Section 24 of C.P.C., to withdraw H.M.O.P. No.38 of 2025 pending on the file of the Family Court, Mannargudi and transfer the same to the Family Court, Chidambaram.

Prayer in C.M.P. No.15764 of 2025: Petition filed under Section 151 of C.P.C., to stay all further proceedings in H.M.O.P. No.38 of 2025 pending on the file of the Family Court, Mannargudi, pending disposal of the Transfer Civil Miscellaneous Petition.

For Petitioner : Mr.K.Balasubramaniam

For Respondent : Mr.B.Jawahar



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ORDER

Heard .

2. The Transfer Civil Miscellaneous Petition has been filed by the petitioner/wife seeking withdrawal of H.M.O.P. No.38 of 2025 from the file of the Family Court, Mannargudi and transfer to the Family Court, Chidambaram.

3. The petitioner states that the marriage between the petitioner and the respondent was solemnized on 09.07.2023 and there is no child born out of the wedlock.

4. The petitioner alleges that she was subjected to mental harassment and was driven out of the matrimonial home on 29.08.2023, and that the respondent subsequently lodged a complaint during March, 2024, which according to her was closed as baseless; thereafter, the respondent filed the above H.M.O.P. for divorce on the ground of cruelty.



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5. The grounds urged for transfer are that the petitioner is residing at Cuddalore and it is difficult and unsafe for her to travel to Mannargudi on each hearing date, and that she has apprehension of threat/hostility from the respondent's family members; she would have to travel alone as her parents are not willing to accompany her.

6. This Court has considered the above submissions. The proceedings sought to be transferred are matrimonial in nature. In transfer petitions arising out of matrimonial disputes, the convenience and safety of the wife, her ability to effectively participate in the proceedings, and the overall interest of justice are relevant considerations. On the facts placed, the petitioner has shown difficulty in undertaking repeated travel to Mannargudi and has also expressed apprehension regarding safety in attending the Court at Mannargudi.

7. In view of the above, this Court is of the considered opinion that the request for transfer deserves acceptance, to enable effective participation of the petitioner in the matrimonial proceedings, without compromising her convenience and safety.



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8. Accordingly, Tr.C.M.P. No.657 of 2025 is allowed.

H.M.O.P. No.38 of 2025 on the file of the Family Court, Mannargudi, is withdrawn and transferred to the file of the Family Court, Chidambaram. The Family Court, Mannargudi, shall transmit the entire records to the Family Court, Chidambaram, within three (3) weeks from the date of receipt of a copy of this order and the Family Court, Chidambaram 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.15764 of 2025 is closed. There shall be no order as to costs.

02.01.2026

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Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation: Yes / No



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To

1. The Family Court, Mannargudi

2. Family Court, Chidambaram



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DR. A.D. MARIA CLETE, J

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and
CMP No.15764 of 2025**

02.01.2026