



WEB COPY



Tr.CMP No.816 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-01-2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

TR CMP No. 816 of 2025

and

CMP No.18853 of 2025

Poornima

...Petitioner(s)

Vs

H.Srinivasan

...Respondent(s)

Prayer in Tr.CMP No.816 of 2025:

Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, pleaded to withdrawal of H.M.O.P. No.76 of 2024 pending on the file of the Sub-Court, Ambur and transfer the same to the Family Court, Dharmapuri or any other Court as may be deemed fit by this Hon'ble Court.

Prayer in CMP No.18853 of 2025: Petition filed under Section 151 of Code of Civil Procedure, pleaded to grant stay of all further proceedings in H.M.O.P.No.76 of 2024 pending on the file of the Sub-Court, Ambur pending disposal of the above transfer petition.

For Petitioner(s) : Mr.J.Bharathi Raja

For Respondent(s) : No appearance



Tr.CMP No.816 of 2025

ORDER

1. Heard.

WEB COPY

2. This Transfer Civil Miscellaneous Petition is filed by the wife seeking withdrawal of H.M.O.P. No.76 of 2024 from the file of the Sub Court, Ambur and transfer of the same to the Family Court, Dharmapuri, to be tried along with the proceedings stated to be pending at Dharmapuri.
3. The petitioner would state that the marriage between the parties was solemnized on 11.11.2021 and that thereafter disputes arose between them and they are living separately. The petitioner would further state that she is residing at Dharmapuri and has instituted H.M.O.P. No.285 of 2024 before the Family Court, Dharmapuri, and that upon receipt of notice therein, the respondent has filed H.M.O.P. No.76 of 2024 before the Sub Court, Ambur.
4. It is also stated that the petitioner is jobless, is dependent on her mother, and would be put to grave hardship in travelling to Ambur to participate in the proceedings, and that if both matters are tried before the Family Court, Dharmapuri, it would avoid multiplicity and facilitate effective adjudication.
5. In transfer petitions arising out of matrimonial proceedings, the consistent approach is to lean in favour of the convenience of the wife, particularly when she is required to travel a substantial distance and when consolidation



Tr.CMP No.816 of 2025

of connected proceedings would advance the cause of justice. Considering the facts and circumstances placed, the pendency of the connected matrimonial proceedings at Dharmapuri, and the hardship pleaded by the petitioner, this Court is inclined to allow the Transfer Civil Miscellaneous Petition.

6. Accordingly, Tr.C.M.P. No.816 of 2025 is allowed. H.M.O.P. No.76 of 2024 on the file of the Sub Court, Ambur, is withdrawn and transferred to the file of the Family Court, Dharmapuri. The Sub Court, Ambur, shall transmit the entire records to the Family Court, Dharmapuri, within three (3) weeks from the date of receipt of this order and the Family Court, Dharmapuri 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 05.08.2025 shall stand vacated and C.M.P.No.18853 of 2025 is closed. There shall be no order as to costs.

20.01.2026

Index:Yes/No

Neutral Citation:Yes/No

Internet:Yes

dsn



WEB COPY



Tr.CMP No.816 of 2025

DR. A.D.MARIA CLETE

dsn

To

1. The Sub-Court, Ambur.
2. The Family Court, Dharmapuri.

TR CMP No. 816 of 2025
and CMP No.18853 of 2025

20.01.2026

4/4