



Tr.C.M.P.No.712 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2026

PRESENT:

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P. No.712 of 2025

and

C.M.P.No.16653 of 2025

T. Jayapriya

... Petitioner

Versus

C. Muruganantham

... Respondent

Prayer in Tr.C.M.P. No.712 of 2025: Petition filed under Section 24 of C.P.C., to withdraw G.W.O.P. No.157 of 2025 on the file of the Family Court, Karur, and transfer the same to the Family Court, Namakkal.

Prayer in C.M.P. No.16653 of 2025: Petition filed under Section 151 of C.P.C., to stay all further proceedings in G.W.O.P. No.157 of 2025 on the file of the Family Court, Karur, pending disposal of the Transfer Civil Miscellaneous Petition.

For Petitioner : Mr.Deepan Uday

For Respondent : No appearance



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ORDER

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Heard.

2. The petitioner is the wife of the respondent. The marriage between the petitioner and the respondent was solemnized on 12.11.2010. The respondent has instituted G.W.O.P. No.157 of 2025 before the Family Court, Karur. The petitioner/wife seeks withdrawal and transfer of the said proceedings to the Family Court, Namakkal, on the ground that she is residing within Namakkal District along with the minor child, that the child is studying there, and that she is put to serious hardship in travelling to Karur for every hearing.

3. It is also brought to the notice of this Court that the petitioner has earlier instituted matrimonial proceedings in H.M.O.P. No.176 of 2021 on the file of the Subordinate Court at Tiruchengode, within Namakkal District, and the present custody/guardianship proceedings at Karur are stated to have been filed by the respondent/husband subsequently.



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4. In matters of transfer involving matrimonial and child-related proceedings, the consistent judicial approach is that the convenience of the wife, and more particularly, the welfare and convenience of the minor child who is in her care, deserve primacy. When the petitioner is required to travel a long distance with attendant constraints for each hearing, such hardship cannot be ignored. On the other hand, the respondent would not suffer any serious prejudice if the matter is tried by the Family Court at Namakkal, which is also a competent forum.

5. In the facts and circumstances, this Court is satisfied that the balance of convenience favours transfer, and that such transfer would also subserve effective adjudication, avoiding undue hardship to the petitioner.

6. Accordingly, Tr.C.M.P. No.712 of 2025 is allowed. G.W.O.P. No.157 of 2025 on the file of the Family Court, Karur, is withdrawn and transferred to the file of the Family Court, Namakkal. The Family Court, Karur, shall transmit the entire records to the Family Court, Namakkal, within three (3) weeks from the date of receipt of this order and the Family Court, Namakkal 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 16.07.2025



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shall stand vacated and C.M.P. No.16653 of 2025 is closed. There shall be no order as to costs.

05.01.2026

dpq

Index : Yes/No

NCC : Yes/No

Speaking Order / Non-Speaking Order

To

1. The Family Court
Karur.

2. The Family Court,
Namakkal.



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DR. A.D. MARIA CLETE, J.

dpq

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