



WEB COPY

TR CMP No. 719 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-02-2026

CORAM

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

TR CMP No. 719 of 2025

and

C.M.P.No.16778 of 2025

Dhachayani

D/o. Arun Kumar, No.48, Chetty Street,
Tiruvannamalai - 601.

..Petitioner(s)

Vs

V. Prabhakaran

S/o. Velayutham, No.70, Ex-Serviceman Colony
2nd Street, ASK Nagar, Adambakkam, West
Velacherry, Chennai - 088.

..Respondent(s)

PRAYER IN TRCMP:

To withdraw the HMOP NO.488/2025, pending on the file of the V Additional Family Court, Chennai and transferred the same to Family Court at Tiruvannamalai.

PRAYER IN CMP:

To stay all further proceedings in HMOP No.488 of 2025 on the file of the V Additional Family Court, Chennai pending disposal of the above Tr.C.M.P.

For Petitioner(s):

Mr.B.Jawahar

For Respondent(s):

No appearance.



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ORDER

Heard.

2. This Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure seeking withdrawal of H.M.O.P. No.488 of 2025 pending on the file of the V Additional Family Court, Chennai and transfer of the same to the Family Court at Tiruvannamalai, for disposal in accordance with law.

3. The case of the petitioner is that the marriage between the petitioner and the respondent was solemnized on 24.03.2024 at Aarthi Mahal, Vadapalani, Chennai. The petitioner is the wife. It is stated that the petitioner is presently residing at Tiruvannamalai, in her sister's house, and that she has no independent income and is dependent for her needs. The respondent is the husband. The original petition, H.M.O.P. No.488 of 2025, has been filed by the respondent/husband seeking restitution of conjugal rights under Section 9 of the Hindu Marriage Act, 1955. The petitioner is required to undertake repeated travel with no dependable escort/support and therefore seeks transfer.



4. It is further noted that the parties have no children. The petitioner would submit that she would be put to serious hardship if required to travel to Chennai for every hearing; the pleadings also reflect that travel involves substantial distance (up-and-down travel being around 400 kms).

5. The matter being a matrimonial proceeding where repeated attendance may be required, the convenience of the wife and the overall balance of convenience merit consideration.

6. Having regard to the facts and circumstances, and considering that the petitioner-wife is residing at Tiruvannamalai and that the proceeding sought to be transferred is a matrimonial OP filed by the husband at Chennai, this Court is satisfied that the transfer sought deserves to be ordered.

7. In the result, Tr.C.M.P. No.719 of 2025 is allowed. H.M.O.P. No.488 of 2025 pending on the file of the V Additional Family Court, Chennai is withdrawn and transferred to the file of the competent Family Court at Tiruvannamalai, for disposal in accordance with law. The V Additional Family Court, Chennai shall transmit the entire records in H.M.O.P. No.488 of 2025 to the Family Court, Tiruvannamalai within a period of three weeks from the date of receipt of a copy of this order. On receipt of the records, the Family Court at



Tiruvannamalai, 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 shall stand vacated.

Consequently, C.M.P. No.16778 of 2025 is closed. No costs.

24-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

- 1.The V Additional Family Court, Chennai.
- 2.The Family Court at Tiruvannamalai.



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DR.A.D.MARIA CLETE, J.

MFA

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