



TR CMP No. 760 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-03-2026

CORAM

THE HON'BLE MRS.JUSTICE R. KALAIMATHI

TR CMP No. 760 of 2025

and

CMP.No.17669 of 2025

S. Nithiya Devi
D/o. Senthil Kumar,
No.LIG 613, VOC Nagar,
New ASTC Hudco, Hosur,
Krishnagiri District-635 109

..Petitioner(s)

Vs.

N. Kirubhaghaan
S/o. Nallendaran,
No.2/205, Sri Lakshmi Nagar,
Akilandapuram, Thalakudi,
Lalgudi Taluk,
Tiruchirapalli District

..Respondent(s)

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, 1908, to withdraw the HMOP.No.62 of 2025 pending on the file of the Principal Sub Court, Lalgudi and transfer the same to the Sub Court at Hosur.

For Petitioner(s) : Mr.C.Elamurugan

For Respondent(s): Mr.N.Palanisamy

ORDER

Heard the learned counsel for the petitioner and the learned counsel for the respondent.



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2. The petitioner who is the respondent / wife in H.M.O.P.No.62 of 2025 on the file of Principal Sub Court, Lalgudi has filed this Transfer Civil Miscellaneous Petition seeking to transfer the said H.M.O.P., to the Sub Court at Hosur by stating that she is not in a position to travel to Lalgudi.

3. Reiterating the said contention, the learned counsel for the petitioner would further add that she is living in her parents' home at Hosur and she finds it difficult to travel from Hosur to Lalgudi, which is approximately 290 kms away from Hosur, for all the hearing dates.

4. Per contra, the learned counsel for the respondent does not have any serious objection in ordering the Transfer Civil Miscellaneous Petition.

5. The principles regarding transfer petitions, more specifically in the matters of matrimonial cases are well settled by the Hon'ble Supreme Court in the following cases:-

"i. In AIR 2000 SC 3512 (1) (Mona Aresh Goel vs. Aresh Satya Goel), when the wife pleaded that she was unable to bear the traveling expenses and even to travel alone and stay at Bombay, the Supreme Court ordered transfer of proceedings.

ii. In 2000 (10) SCC 304 (Geeta Heera Vs.



Harish Chander Heera), the Hon'ble Supreme Court has held that where the petitioner's wife has pleaded lack of money, the same has to be considered.

iii. In Lalita A. Ranga Vs. Ajay Champalal Ranja reported in (2009) 9 SCC 355, wherein the wife, who was having small child and she was finding it difficult to travel from Jaipur to Bombay, and the Hon'ble Apex Court accepting her request ordered the transfer petition in favour of the wife transferring the transfer petition from Family Court at Bandra in Mumbai to the Family Court at Jaipur."

6. On perusal of petition filed in H.M.O.P.No.62 of 2025, it appears that petitioner/husband is the resident of Tiruchirapalli District (Akilandapuram, Lalkudi Taluk) and the respondent/wife is the resident of Hosur, Krishnagiri District.

7. In consideration of the above said details, the request of the petitioner herein / wife appears to be based on justifiable cause and accordingly, this Transfer Civil Miscellaneous Petition is allowed. Sequel to this, H.M.O.P.No.62 of 2025 pending on the file of the Principal Sub Court, Lalgudi is withdrawn and transferred to the file of the Sub Court at Hosur. The Sub Court, Hosur on receipt of the records to try and dispose of the matter in



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accordance with law at the earliest. No Costs. Consequently, connected Civil

Miscellaneous Petition is closed.

13-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MAC

To

1. The Principal Sub Court, Lalgudi

2. The Sub Court at Hosur



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R.KALAIMATHI, J.

MAC

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