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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

THE HON'BLE MRS.JUSTICE R. KALAIMATHI

TR CMP Nos.800 and 801 of 2025

and

CMP No.18270 and 18312 of 2025

K.Kavitha

...Petitioner in both Tr.C.M.Ps.,

Vs.

K.P.Arunkumar

...Respondent in both Tr.C.M.Ps.,

Prayer in Tr.C.M.P.No.800 of 2025: Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, 1908, to withdraw the H.M.O.P.No.176 of 2020 on the file of the II Additional Sub-Judge, Coimbatore to transfer the same to the Subordinate Judge, Palladam, Tiruppur District.

Prayer in Tr.C.M.P.No.801 of 2025: Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, 1908, to withdraw the H.M.O.P.No.288 of 2022 on the file of the II Additional Sub-Judge, Coimbatore to transfer the same to the Subordinate Judge, Palladam, Tiruppur District.

For Petitioner(s) : Mr.S.Kumaresan

For Respondent(s): Mrs.AL Ganthimathi, Senior Counsel
for Mr.M.Sriram

COMMON ORDER

Heard the learned counsel for the petitioner (wife) and the learned counsel for the respondent (husband).



2. Tr.C.M.P.No.800 of 2025 : H.M.O.P.No.176 of 2020 was filed by the respondent (wife) under Section 13(1)(i-a) of Hindu Marriage Act, 1955.

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3. The respondent (wife) in H.M.O.P.No.176 of 2020 on the file of the II Additional Sub-Court, Coimbatore is the petitioner herein. She would aver that she has been residing at Palladam along with her parents and she finds it difficult to travel from Palladam to Coimbatore for all the Court hearings.

4. The learned counsel for the petitioner would reiterate the grounds set out in the Transfer Civil Miscellaneous Petitions and seeks for transfer of the aforestated O.P., from the file of II Additional Sub-Court, Coimbatore to Sub-Court, Palladam, Tiruppur District.

5. The learned counsel for the respondent would vehemently contend that the wife needs to appear only for few hearings and the matter can be disposed of at the earliest.

6. It is relevant to note that H.M.O.P.No.176 of 2020 was instituted by the husband and the matter is pending for enquiry. H.M.O.P.No.288 of 2022 was filed by the wife under Section 9 of Hindu Marriage Act and the same is pending in the stage of enquiry.



7. 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.”

8. The petitioner is the resident of Sukampalayam, Palladam, Tiruppur District and the respondent is the resident of Thanneerpanthal, Karumathampatti, Coimbatore District.



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9. In consideration of the above said details, the request of the petitioner herein / wife appears to be based on justifiable cause and accordingly, both the Transfer Civil Miscellaneous Petitions are allowed. Sequel to this, H.M.O.P.Nos.176 of 2020 and 288 of 2022 pending on the file of the II Additional Sub-Court, Coimbatore is withdrawn and transferred to the file of the Sub-Court, Palladam, Tiruppur District. The learned Judge of the Sub-Court, Palladam, on receipt of the records, shall take all effective steps to try and dispose of the matters in accordance with law at the earliest. No Costs. Consequently, connected Civil Miscellaneous Petitions are closed.

21-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

ssn

To

1. The II Additional Sub-Judge, Coimbatore.
2. The Subordinate Judge, Palladam, Tiruppur District.



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TR CMP Nos.800 and 801 of 2



R.KALAIMATHI, J.

ssn

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