



Tr.CMP.No.781 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2026

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THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.CMP.No.781 of 2025

and CMP.Nos.17988 and 17991 of 2025

Priyadharshini

...Petitioner

Vs.

Surendhiran

...Respondent

Prayer in Tr.C.M.P. No.781 of 2025: Petition filed under Section 24 CPC to order withdrawal of F.C.O.P No.102 of 2025 on the file of the Family Court, Vellore District and transfer the same to the Sub Court, Alandur.

Prayer in C.M.P. No.17988 of 2025: Petition filed under Section 151 CPC to stay of all proceedings in F.C.O.P No.102 of 2025 on the file of the Family Court, Vellore District.

Prayer in C.M.P. No.17991 of 2025: Petition filed under Section 151 CPC to dispense with the personal appearance of the petitioner in F.C.O.P.No.102 of 2025 on the file of the Family Court, Vellore District.



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For Petitioner : Ms.T.Gayathri

For Respondent : No appearance

ORDER

Heard.

2. The petitioner/wife has filed the present Transfer Civil Miscellaneous Petition seeking withdrawal of F.C.O.P. No.102 of 2025 from the file of the Family Court, Vellore and to transfer the same to the file of the Sub Court, Alandur.

3. The marriage between the petitioner and the respondent was solemnized on 12.09.2012 at Sri Jalagandeshwarar Alayam, Vellore as per Hindu rites and customs. Out of their wedlock, two male children were born and the petitioner is presently residing at Chennai along with the children.

4. The case of the petitioner, is that she is presently residing within Chennai along with two minor male children, who are school-going; that she is employed and has to manage the children without support; that she is also stated to be suffering from spinal ailments and finds it extremely difficult and



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painful to undertake long travel; and that the distance to Vellore and the time spent for each hearing cause severe physical strain, affect her employment and also the children's schooling. The petitioner has also produced medical documents to substantiate her health condition.

5. The respondent/husband is stated to be working as a driver and, therefore, according to the petitioner, no prejudice would be caused to him if the proceedings are transferred to the Court at Chennai.

6. This Court has considered the rival convenience. In matrimonial transfer petitions, the convenience and hardship of the wife, particularly when she has the responsibility of minor children and is stated to be suffering from medical issues, is a relevant consideration. The petitioner has made out a case of genuine difficulty in attending the proceedings at Vellore on every hearing date, whereas the respondent is stated to be a person who travels as part of his occupation.

7. In such view of the matter, this Court is satisfied that the ends of justice would be met by ordering transfer, without causing any irreparable prejudice to the respondent.



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8. Accordingly, Tr.C.M.P. No.781 of 2025 is allowed. F.C.O.P. No.102 of 2025 on the file of the Family Court, Vellore, is withdrawn and transferred to the file of the Sub Court, Alandur. The Family Court, Vellore, shall transmit the entire records to the Sub Court, Alandur, within a period of three (3) weeks from the date of receipt of a copy of this order and the Sub Court, Alandur 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 30.07.2025 shall stand vacated and C.M.P. Nos.17988 and 17991 of 2025 are closed. There shall be no order as to costs.

05.01.2026

Index : Yes/No
Speaking order : Yes/No
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To

1. The Family Court, Vellore District
2. The Sub Court, Alandur.

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DR.JUSTICE A.D.MARIA CLETE.J.,

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