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Tr.C.M.P.No.810 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P.No.810 of 2025

and

CMP No.18605 of 2025

P.Krishnaveni

... Petitioner

Vs

Mohanasundaram

... Respondent

PRAYER in Tr.C.M.P:

This Transfer Miscellaneous Petition is filed under Section 24 C.P.C., to withdraw the HMOP No.2018 of 2024 pending on the file of the Family Court, Coimbatore and to transfer the same to the Subordinate Court, Pollachi to be tried along with HMOP No.310 of 2024.

PRAYER in C.M.P:

To stay all further proceedings of HMOP No.2018 of 2024 pending on the file of the Family Court, Coimbatore, pending disposal of the above Tr.C.M.P.

For Petitioner : Mr.V.Sundar Raman

For Respondent : Mr.G.Paramasivam



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ORDER

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2. This Transfer Civil Miscellaneous Petition is filed by the wife seeking withdrawal of H.M.O.P. No.2018 of 2024 pending on the file of the learned Family Court, Coimbatore and for transfer of the same to the file of the learned Subordinate Judge, Pollachi, where H.M.O.P. No.310 of 2024 is stated to be pending.
3. The marriage between the petitioner and the respondent was solemnized on 15.11.2007 and the parties have two minor children, namely Indrajith (born on 21.03.2009) and M. Sri Mithra (born on 05.11.2012), who are stated to be under the care and custody of the petitioner.
4. The petitioner state that she has instituted H.M.O.P. No.310 of 2024 before the Subordinate Court, Pollachi, for restitution of conjugal rights and the respondent has filed H.M.O.P. No.2018 of 2024 before the Family Court, Coimbatore.
5. The grievance of the petitioner is that she is taking care of the two minor children and that the travel distance from her place to the Family Court, Coimbatore is nearly 150 kms (up and down) and therefore she would be put to hardship in attending every hearing at Coimbatore.



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6. The petitioner has also stated that, in these circumstances, she had earlier filed a Tr.O.P. before the learned Principal District Judge, Coimbatore, for the very same relief through e-filing in ATN20240004190C202500003, and the same was returned for filing before the proper forum, and hence she has filed the present Transfer Civil Miscellaneous Petition before this Court.
7. This Court has considered the above submissions. In matrimonial transfer petitions, the convenience of the wife, particularly when minor children are stated to be in her care, is a relevant consideration. Further, when connected proceedings are pending between the same parties, consolidation before one Court would avoid multiplicity and the possibility of conflicting decisions.
8. In the case on hand, since H.M.O.P. No.310 of 2024 is pending before the learned Subordinate Judge, Pollachi and the petitioner has made out a case of hardship in attending proceedings at Coimbatore, this Court is of the view that ends of justice would be met by transferring H.M.O.P. No.2018 of 2024 to Pollachi, for being tried along with the connected H.M.O.P.
9. Accordingly, Tr.C.M.P. No.810 of 2025 is allowed. H.M.O.P. No.2018 of 2024 on the file of the Family Court, Coimbatore, is withdrawn and transferred to the file of the Subordinate Judge, Pollachi. The Family Court, Coimbatore, shall transmit the entire records to the Subordinate Judge,



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Pollachi, within three (3) weeks from the date of receipt of this order and the Subordinate Judge, Pollachi 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 05.08.2025 shall stand vacated and C.M.P. No.18605 of 2025 is closed. There shall be no order as to costs.

19.01.2026

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Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation: Yes / No

To

1. Family Court, Coimbatore
2. Subordinate Court, Pollachi



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DR. A.D. MARIA CLETE, J

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