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Tr.C.M.P.No.804 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2026

PRESENT:

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P. No.804 of 2025

and

C.M.P.No.18372 of 2025

Karthikeyani

... Petitioner

Vs.

Ayyappan

... Respondent

PRAYER: : Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw the HMOP.No.231 of 2024 on the file of the Subordinate Court, Udumalaipettai, Tiruppur District and transfer the same to the Subordinate Court, Coimbatore.

Prayer in C.M.P. No.18372 of 2025: To stay of all further proceedings in H.M.O.P.No.231 of 2024 on the file of the Subordinate Court, Udumalaipettai, Tiruppur district pending disposal of the Tr.CMP.

For Petitioner : Mr.R.Subramanian

For Respondent : No appearance



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ORDER

Heard.

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2. This Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking withdrawal of H.M.O.P.No.231 of 2024 instituted by the respondent/husband for divorce pending on the file of the Subordinate Court, Udumalaipettai, Tiruppur District, and transfer of the same to the file of the Subordinate Court, Coimbatore.

3. The petitioner states that she is residing at Sundakkamuthur, Coimbatore District, and the respondent is residing at Udumalpet, Tiruppur District. The petitioner further states that she is visually impaired, has no sufficient independent income, and that she is unable to travel long distances alone. It is stated that attending the Court at Udumalaipettai for every hearing entails long-distance travel and hardship, and that she is constrained to depend on relatives to accompany her.

4. In transfer petitions arising out of matrimonial proceedings, the consistent approach is to consider the comparative convenience and hardship, and ordinarily the convenience of the wife is given due weight. In the case on hand, the petitioner



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has also pleaded visual impairment and difficulty in undertaking repeated travel for Court hearings. The balance of convenience, therefore, tilts in favour of ordering transfer, and no serious prejudice would be caused to the respondent, if the proceedings are tried at Coimbatore. Accordingly, the Transfer Civil Miscellaneous Petition deserves to be allowed.

5. Accordingly, Tr.C.M.P. No.804 of 2025 is allowed. H.M.O.P. No.231 of 2024 on the file of the Subordinate Court, Udumalaipettai, Tiruppur District, is withdrawn and transferred to the file of the Subordinate Court, Coimbatore. The Subordinate Court, Udumalaipettai, shall transmit the entire records to the Subordinate Court, Coimbatore, within three (3) weeks from the date of receipt of this order and the Subordinate Court, Coimbatore 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 01.08.2025 shall stand vacated and C.M.P. No.18372 of 2025 is closed. There shall be no order as to costs.

05.01.2026

dpq

Index : Yes/No

NCC : Yes/No

Speaking Order / Non-Speaking Order

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DR. A.D. MARIA CLETE, J

dpq

To

1.The Subordinate Court,
Udumalaipettai, Tiruppur district.

2. The Subordinate Court,
Coimbatore.

Tr.C.M.P. No.804 of 2025
and
C.M.P.No.18372 of 2025

Dated: 05.01.2026