



WEB COPY



Tr.C.M.P.No.884 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2026

CORAM:

THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE

Tr.C.M.P. No.884 of 2025

and

C.M.P. No.20336 of 2025

Mrs. Umaipoorani,
W/o. B. Shunmugam,
No. 8/58, Thimmampalayam,
Marudur, Karamadai,
Coimbatore – 641 104.

... Petitioner

Vs

Mr. B. Shunmugam,
S/o. Balasubramani,
No. 42/4, Balaji Nagar Main Road,
Kolathur, Chennai – 600 099.

... Respondent

Prayer in Tr.C.M.P. No.884 of 2025: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the proceedings in H.M.O.P. No.997 of 2025 on the file of the VI Additional Family Court, Chennai, and transfer the same to the file of the Subordinate Court, Mettupalayam, to be tried and disposed of in accordance with law.

Prayer in C.M.P. No.20336 of 2025: Petition filed seeking interim stay of further proceedings in H.M.O.P. No.997 of 2025 pending disposal of the Transfer C.M.P.



Tr.C.M.P.No.884 of 2025

For Petitioner : Mr.M.Anbalagan

For Respondent :No appearance

ORDER

1. Heard.
2. The petitioner is the wife. The respondent is the husband. The marriage between the parties was solemnized on 08.09.2021 and a male child was born on 02.11.2022. The respondent/husband has instituted H.M.O.P. No.997 of 2025 on the file of the VI Additional Family Court, Chennai. The present Transfer Civil Miscellaneous Petition is filed seeking withdrawal of the said H.M.O.P. from Chennai and transfer of the same to the Subordinate Court, Mettupalayam.
3. The petitioner states that she is residing at Karamadai, Coimbatore District, along with the minor child; that she is working and is dependent on her family support; and that it would cause hardship to travel to Chennai for each and every hearing, carrying the minor child. The petitioner further states that the respondent is residing at Chennai and can attend the proceedings at Mettupalayam without comparable hardship.



4. Transfer under Section 24 C.P.C. is essentially guided by the interest of justice and comparative convenience. In matrimonial proceedings, the convenience of the wife, particularly when she has custody of a minor child and resides away from the place where the case is pending, is a relevant consideration. The materials placed show that the petitioner is residing at/near Mettupalayam/Coimbatore side and the minor child is with her, and repeated travel to Chennai would cause undue hardship.

5. This Court is satisfied that no serious prejudice will be caused to the respondent if the matter is tried at Mettupalayam, whereas the petitioner would be put to avoidable hardship if the proceedings continue at Chennai. Therefore, the ends of justice require the transfer sought for. In view of the above, the Transfer Civil Miscellaneous Petition deserves to be allowed.

6. Accordingly, Tr.C.M.P. No.884 of 2025 is allowed. H.M.O.P. No.997 of 2025 on the file of the VI Additional Family Court, Chennai, is withdrawn and transferred to the file of the Subordinate Court, Mettupalayam. The VI Additional Family Court, Chennai, shall transmit the entire records to the Subordinate Court, Mettupalayam, within three (3)



Tr.C.M.P.No.884 of 2025

weeks from the date of receipt of this order and the Subordinate Court,

Mettupalayam 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 20.08.2025 shall stand vacated and C.M.P. No.20336 of 2025 is closed. There shall be no order as to costs.

23.01.2026

mfa



WEB COPY



Tr.C.M.P.No.884 of 2025

To

1. VI Additional Family Court, Chennai
2. Subordinate Court, Mettupalayam



WEB COPY



Tr.C.M.P.No.884 of 2025

DR. A.D. MARIA CLETE, J

mfa

**Tr.C.M.P. No.884 of 2025
and
C.M.P. No.20336 of 2025**

23.01.2026