



WEB COPY

TR CMP No. 788 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MRS.JUSTICE R. KALAIMATHI

TR CMP No. 788 of 2025

and

CMP No.18197 of 2025

Sathya
W/o. Pavunraj,
D/o. Karupannan,
No. 4/102, Annai Sathya Nagar,
N.Kosavampatti Post,
Namakkal Taluk and District.

..Petitioner(s)

Vs.

Pavunraj
S/o. Periyasamy
No. 6, Bairavar Nagar,
P. Nanjagoundampalayam,
Gobichettipalayam Post and Taluk,
Erode District.

..Respondent(s)

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, 1908, to Withdraw the H.M.O.P. No.56 of 2025 pending before the Sub Court, Gobichettipalayam and to transfer the same to the file of Family Court, Namakkal.

For Petitioner(s) : Mr.A.Sathishkumar

For Respondent(s): Mr.V.Livin

ORDER

Heard the learned counsel for the petitioner and the learned counsel for the respondent.



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2. The respondent (wife) in H.M.O.P.No.56 of 2025 on the file of the Sub Court, Gopichettipalayam, is the petitioner herein.

3. The petitioner would aver that she is living at Namakkal in her mother's house and she finds it difficult to attend the case at the Sub Court, Gobichettipalayam, as there is no male member to accompany her on every hearing. She would further aver that it is very difficult for her to travel around 100 kms up and down, besides incurring huge expenses.

4. The learned counsel for the petitioner would reiterate the aforesaid grounds and seek to transfer the above said petition to the Family Court, Namakkal.

5. The learned counsel for the respondent would vehemently contend that the distance between the Gobichettipalayam to Namakkal is very short and seeks for dismissal of the petition.

6. 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



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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."

7. The petitioner is the residence of N.Kosavampatti Post, Namakkal District.

8. In consideration of the above said details, the request of the petitioner herein / wife appears to be based on justifiable cause and accordingly, this Transfer Civil Miscellaneous Petition is allowed. Sequel to this, H.M.O.P.No.56 of 2025 pending on the file of the Subordinate Court, Gopichettipalayam is withdrawn and transferred to the file of the Family Court, Namakkal. The Family Court, Namakkal. The learned Judge, Family Court,



Namakkal shall take all effective steps to try and dispose of the matter in accordance with law at the earliest. No Costs. Consequently, connected Civil

Miscellaneous Petition is closed.

09-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

MAC

To

1. The Subordinate Court, Gopichettipalayam
2. The Family Court, Namakkal



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R.KALAIMATHI, J.

MAC

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