



Tr.CMP No.827 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-01-2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

TR CMP No. 827 of 2025

and

CMP No.19036 of 2025

Sruthi

...Petitioner(s)

Vs

Siranjeevi Maruthasalam

...Respondent(s)

Prayer in Tr.CMP No.827 of 2025:

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, pleaded to withdraw the petition in H.M.O.P.No.497 of 2024 pending on the file of II Additional Sub-Judge, Coimbatore and transfer the same to the Sub-Court, Udumalpet.

Prayer in CMP No.19036 of 2025: Petition filed under Section 151 of Civil Procedure Code, pleaded to grant stay of all further proceedings in H.M.O.P.No.497 of 2024 pending on the file of II Additional Sub-Judge, Coimbatore, till the disposal of the above transfer petition.

For Petitioner(s) : Mr.B.Kumarasamy

For Respondent(s) : No appearance



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ORDER

1. Heard.

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2. The petitioner is the wife. The respondent/husband has filed H.M.O.P. No.497 of 2024 before the II Additional Sub Court, Coimbatore. The present Transfer Civil Miscellaneous Petition is filed seeking withdrawal of the said H.M.O.P. and transfer of the same to the file of the Sub Court, Udumalpet.
3. It is the case of the petitioner that the marriage between the parties was solemnized on 30.03.2020 and due to matrimonial discord, she is residing at Udumalpet with her parents. She has stated that Udumalpet to Coimbatore is about 70 kilometres and that she has no one to accompany her for every hearing at Coimbatore; further, her parents are elderly and suffering age-related ailments.
4. In transfer petitions arising out of matrimonial proceedings, the consistent approach of Courts is to lean in favour of the spouse who would otherwise be put to undue hardship in attending the proceedings, more particularly, when the wife pleads difficulty in travel and lack of escort and support. The consideration is the ends of justice and comparative convenience, and not mere convenience of one party.
5. In the case on hand, seeing the place where the petitioner is presently



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residing (Udumalpet) and the difficulty pleaded by her in attending the proceedings at Coimbatore on every hearing, this Court is satisfied that the interest of justice warrants transfer of the matrimonial proceeding. No serious prejudice will be caused to the respondent, as he can always contest the matter before the transferee Court.

6. Accordingly, Tr.C.M.P. No.827 of 2025 is allowed. H.M.O.P. No.497 of 2024 on the file of the II Additional Sub Court, Coimbatore, is withdrawn and transferred to the file of the Sub Court, Udumalpet. The II Additional Sub Court, Coimbatore, shall transmit the entire records to the Sub Court, Udumalpet, within three (3) weeks from the date of receipt of this order and the Sub Court, Udumalpet 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 07.08.2025 shall stand vacated and C.M.P. No.19036 of 2025 is closed. There shall be no order as to costs.

08.01.2026

Index:Yes/No
Neutral Citation:Yes/No
Internet:Yes
dsn



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DR. A.D.MARIA CLETE
dsn

To

1. The II Additional Sub-Judge, Coimbatore.
2. The Sub-Court, Udumalpet.

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and CMP No.19036 of 2025

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