



Tr.CMP.No.857 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2025

CORAM:

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.CMP.No.857 of 2025

and

C.M.P.No.19391 of 2025

J. Sangeethavani

... Petitioner

Vs.

Arunkumar

... Respondent

Prayer in Tr.CMP.No.857 of 2025: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw H.M.O.P.No.5 of 2025 pending on the file of the Principal Subordinate Court, Palani, and transfer the same to the Family Court, Coimbatore.

Prayer in C.M.P. No.19391 of 2025: Petition filed under Section 151 of C.P.C., to stay all further proceedings in H.M.O.P. No.5 of 2025 on the file of the Sub Court, Palani, pending disposal of the Transfer Civil Miscellaneous Petition.

For Petitioner : Mr.K.Sudhakar

For Respondent : No Appearance



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ORDER

Heard.

2. This Transfer Civil Miscellaneous Petition is filed by wife seeking withdrawal of H.M.O.P. No.5 of 2025 on the file of the Principal Subordinate Court, Palani and for transfer of the same to the file of the Principal Family Court, Coimbatore.

3. The petitioner is the wife. The respondent is the husband. The marriage between the parties was solemnized on 10.11.2023 at Vasavi Marriage Hall, Palani. The respondent has filed H.M.O.P. No.5 of 2025 on the file of the Principal Subordinate Court, Palani, seeking divorce.

4. The petitioner states that she is unemployed and residing at Coimbatore and that the respondent is working at Coimbatore. She also states that she has initiated maintenance proceedings in M.C.No.113 of 2025 on the file of the Family Court, Coimbatore. The



grievance of the petitioner is that from her residence at Coimbatore to Palani, it is about 145 km (up and down about 290 km), and she would be put to serious hardship to travel and attend each hearing at Palani.

5. In transfer petitions arising out of matrimonial proceedings, the consistent approach is that the convenience of the wife ordinarily deserves preference, particularly when she is stated to be unemployed and the travel distance is substantial. On the facts here, the petitioner is residing at Coimbatore; the respondent is also stated to be working at Coimbatore; and the petitioner has also set out the difficulty in travelling to Palani for every hearing. In such circumstances, this Court is satisfied that the ends of justice require transfer. Accordingly, the transfer is ordered.

6. Accordingly, Tr.C.M.P. No.857 of 2025 is allowed. H.M.O.P. No.5 of 2025 on the file of the Principal Subordinate Court, Palani, is withdrawn and transferred to the file of the Family Court, Coimbatore. The Principal Subordinate Court, Palani, shall transmit the entire records to the Family Court, Coimbatore, within three (3)



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weeks from the date of receipt of this order and the Family 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 12.08.2025 shall stand vacated and C.M.P. No.19391 of 2025 is closed. There shall be no order as to costs.

06.01.2026

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
kkd



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Dr. A.D.MARIA CLETE, J.

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To

1. The Principal Subordinate Court, Palani,
2. The Family Court, Coimbatore.

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06.01.2026