



WEB COPY



Tr.C.M.P.No.953 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P.No.953 of 2025

and

C.M.P.No.21568 of 2025

S.Pooja

... Petitioner

Versus

P.Karthikeyan

... Respondent

Prayer in Tr.C.M.P.No.953 of 2025: Petition filed under Section 24 of C.P.C., to withdraw and transfer the H.M.O.P.No.9 of 2025 from the file of the learned II Additional Sub Judge, Coimbatore, to the file of the learned Sub Judge, Ambattur.

Prayer in C.M.P.No. 21568 of 2025: Petition filed under Section 151 of C.P.C., to stay the all further proceedings in H.M.O.P.No.9 of 2025 on the file of the learned II Additional Sub Judge, Coimbatore, pending disposal of the Transfer Civil Miscellaneous Petition.

For Petitioner : Mr.A.Manju

For Respondent : No appearance

ORDER

Heard.



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2. This Transfer Civil Miscellaneous Petition is filed by the wife seeking transfer of H.M.O.P.No.9 of 2025 (filed by the husband for restitution of conjugal rights under Section 9 of the Hindu Marriage Act) pending on the file of the II Additional Sub Judge, Coimbatore, to the file of the Sub Judge Court, Ambattur.

3. The petitioner states that the marriage between the parties was solemnized on 10.02.2023 and a female child was born on 11.06.2024, who is in the petitioner's custody. The petitioner is residing at Ambattur along with her aged parents and the minor child, and she has no independent income. It is further stated that the petitioner has initiated maintenance proceedings in M.C.No.6 of 2025 on the file of the Judicial Magistrate, Ambattur.

4. According to the petitioner, if she is compelled to contest the matrimonial proceedings at Coimbatore, she will be put to serious hardship, as she has to travel a long distance with the infant child and cannot be expected to undertake such travel frequently.

5. In transfer petitions arising out of matrimonial proceedings, the convenience of the wife, particularly when she has the custody of a minor



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child and has no independent source of income, deserves primacy. Further, the pendency of maintenance proceedings at Ambattur is also a relevant circumstance to avoid multiplicity of travel and to facilitate effective participation in the proceedings.

6. Therefore, this Court is satisfied that the ends of justice would be met by ordering transfer as sought for.

7. Accordingly, Tr.C.M.P.No.953 of 2025 is allowed. H.M.O.P.No.9 of 2025 on the file of the II Additional Sub Judge, Coimbatore, is withdrawn and transferred to the file of the Sub Judge Court, Ambattur. The II Additional Sub Judge, Coimbatore, shall transmit the entire records to the Sub Judge Court, Ambattur, within three (3) weeks from the date of receipt of this order and the Sub Judge Court, Ambattur shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order and C.M.P.No.21568 of 2025 is closed. There shall be no order as to costs.

08.01.2026

cda

Index: Yes / No

Speaking Order / Non-speaking Order



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DR. A.D. MARIA CLETE, J

cda

To

1.The II Additional Sub Judge, Coimbatore.

2.The Sub Judge, Ambattur.

**Tr.C.M.P.No.953 of 2025
and
C.M.P.No.21568 of 2025**

08.01.2026