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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

THE HON'BLE DR. JUSTICE A.D.MARIA CLETE

**TR CMP Nos. 1325 of 2024 & 112 of 2025
and CMP.Nos.28654 of 2024**

In TR.CMP.No.1325 of 2024:

Senthamizh Arasu

..Petitioner

Vs

Akalya @ Punitha

..Respondent(s)

In TR.CMP.No.112 of 2025:

Akalya @ Punitha

...Petitioner

Vs.

Senthamizh Arasu

... Respondent.

Prayer in TR.CMP.No.1325 of 2024: This Transfer Civil Miscellaneous Petition is filed seeking to withdraw the proceedings in HMOP NO.41 of 2024 on the file of the Sub Court, Tiruthani, Tiruvallur District and transfer the same to the file of the Sub Court, Kancheepuram at Kancheepuram, District to be tried along with HMOP NO.181 of 2024.

Prayer in TR.CMP.No.112 of 2025: This Transfer Civil Miscellaneous Petition is filed seeking to withdraw the proceedings in HMOP No.181 of 2024 pending on the file of the Subordinate Court, Kancheepuram and transfer the same to the Subordinate Court, Tiruttani, where the petitioners HMOP.NO.41 of 2024.



For Petitioner(s):

Mr.K.G.Senthil Kumar in TR.CMP.No.1325 of 2024

Mr.S.Vijayanand in TR.CMP.No.112 of 2025

For Respondent(s):

M/s. S.Vijayanand in TR.CMP.No.1325 of 2024

Mr.K.G.Senthik Kumar in TR.CMP.No.112 of 2025

ORDER

Heard.

2. TR.CMP.No.1325 of 2024 has been filed by the Husband seeking transfer of H.M.O.P. No.41 of 2024, pending on the file of the Sub Court, Tiruthani, Tiruvallur District and transfer the same to the Sub Court, Kancheepuram, to try along with HMOP.No.181 of 2024.

3. TR.CMP.NO.112 of 2025 has been filed by the wife seeking transfer of HMOP.No.181 of 2024 pending on the file of the Subordinate Court, Kancheepuram to the Subordinate Court, Tiruttani and to try along with HMOP.No.41 of 2024.

4. The marriage between the parties was solemnized on 23.04.2023 according to Hindu rites. The wife has instituted the above H.M.O.P.No.41 of 2024 seeking Restitution of conjugal rights and husband has filed HMOP.No.181 of 2024 seeking divorce on the ground of cruelty.

5. The case of the wife is that after marriage, due to matrimonial discord,



she was allegedly driven out of the matrimonial home and now she is residing at Manavur, in Thiruvallur District. It is further submitted that she has no independent source of income and cannot afford the recurring travel and incidental expenses.

6. The case of the husband is that the connected proceedings in HMOP.No.181 of 2024 is pending on the file of the Sub Court, Kancheepuram and therefore transfer is needed to avoid multiplicity.

7. It is a well-settled proposition of law that in matrimonial proceedings, convenience of the wife deserves paramount consideration, particularly when she is residing at a different place and cannot undertake repeated travel. The Hon'ble Supreme Court and this Court have consistently held that such transfers are warranted to ensure effective access to justice and to avoid undue hardship to the wife.

8. In the present case, considering the residence of wife at Tiruthani, and transfer would avoid multiplicity of proceedings and the possibility of conflicting order, this Court is of the considered view that no serious prejudice would be caused to the husband if the matter is transferred. On the other hand, refusal to transfer would result in grave hardship to the wife. Therefore, this Court finds sufficient cause to allow the Transfer Civil Miscellaneous Petition



filed by the wife.

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9. Accordingly, (i) Tr.C.M.P. No.112 of 2025 is allowed. H.M.O.P. No.181 of 2024 on the file of the Subordinate Court, Kancheepuram is withdrawn and transferred to the file of the Subordinate Court, Tiruttani for trial along with the petition filed by wife in H.M.O.P.No.41 of 2024 which is pending on the file of the Subordinate Court, Tiruttani. The Subordinate Court, Kancheepuram, shall transmit the entire records to the Subordinate Court, Tiruttani, within three (3) weeks from the date of receipt of this order and Subordinate Court, Tiruttani, shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order.

(ii) Tr.C.M.P. No.1325 of 2024 is dismissed and consequently, CMP.No.28654 of 2024 is closed.

(iii) There shall be no order as to costs.

25-02-2026

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

JAI/DNA

To

1. The Subordinate Court, Kancheepuram.
2. The Subordinate Court, Tiruttani.



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TR CMP Nos. 1325 of 2024 & 112 of 2



DR.A.D.MARIA CLETE, J.

JAI/DNA

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