



WEB COPY

TR CMP No. 997 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2026

CORAM

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

TR CMP No. 997 of 2024

AND

CMP NO. 21769 OF 2024

1. Mohammed Imran Ansari
S/o.Mohammed Yusuf Ansari, Res at
No.55/107, Aaliya Street, Dharanampettai,
Gudiyatham, Vellore Dist-632602
2. Nowshad Ansari
W/o.Mohammed Imran Ansari, Res at
No.55/107, Aaliya Street, Dharanampettai,
Gudiyatham, Vellore Dist-632602

..Petitioner(s)

Vs

Husna Khatun Shaikh
at House No.597, Flat B-404, Sector-12E,
Rajashree Apartment, Samta Nagar, Thane-400709

..Respondent(s)

CMP No. 21769 of 2024

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..Appellant(s)

Vs

Husna Khatun Shaikh
at House No.597, Flat B-404, Sector-12E,
Rajashree Apartment, Samta Nagar, Thane-400709

..Respondent(s)

**TR CMP No. 997 of 2024**

To withdraw the case in the case pending in GWOP No.01/2023 on the file of Principal District Judge, Vellore and transfer the same to District Court at Chennai or Family Court at Chennai and set aside the order dt. 01.08.2024 passed by Principal District Judge, Vellore in GWOP No.01/2023

CMP No. 21769 of 2024

To stay all further proceedings in GWOP No.01/2023 on the file of Principal District Judge, Vellore pending disposal of the above Tr.CMP.

TR CMP No. 997 of 2024

For Petitioner(s): Mr.N.S.Baig

For Respondent(s): No appearance

Order

Heard

2. This Transfer Civil Miscellaneous Petition has been filed seeking withdrawal of G.W.O.P. No.01 of 2023 from the file of the Principal District Judge, Vellore and for transfer of the same to the file of the competent Court at Chennai.

3. The petitioner is the husband and the respondent is the ex-wife. It is submitted that the respondent is residing at Bombay with her parents. It is further stated that the children are presently with the husband's second



wife at Gudiyatham, and the petitioner/husband is working at Dubai. G.W.O.P. No.01 of 2023 is filled by the respondent/ex-wife which at the stage of cross examination.

4. The petitioner states that he is working abroad, it would be more convenient to attend the proceedings at Chennai, rather than Vellore.
5. A transfer under Section 24 CPC is not to be ordered as a matter of course. The applicant must establish that the transfer is necessary to meet the ends of justice and that the balance of convenience clearly warrants such transfer.
6. In the present case, the respondent is stated to be residing at Bombay, and therefore, in any event, she would have to travel to attend the proceedings. The petitioner/husband is stated to be working at Dubai. While the petitioner husband himself is employed abroad there is no convincing reason shown to court, to shift the forum to Chennai where none reside; particularly in guardianship matters the Court must also bear in mind the convenience relating to the children and the effective adjudication.



7. On the petitioner's own stating, the children are with the second wife at Gudiyatham. Having regard to the overall facts placed, this Court is not satisfied that a case for transfer is made out, to withdraw the proceeding from the file of the Principal District Judge, Vellore and transfer the same to Chennai. However, the Principal District Judge, Vellore is directed to dispose of the matter as expeditiously as possible.

8. Accordingly, Tr.C.M.P. No.997 of 2024 is dismissed. Consequently, C.M.P. No. 21769 of 2024 is closed. There shall be no order as to costs.

26-02-2026

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

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DR.A.D.MARIA CLETE J.

DPQ

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