



WEB COPY

TR CMP No. 899 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-04-2026

CORAM

THE HON'BLE MRS.JUSTICE R. KALAIMATHI

TR CMP No. 899 of 2025

and

CMP No.20743 of 2025

S.P. Aishwarya
W/o.V.Perumal,
D/o.S.G.Parthasarathy,
Residing at.No.77/47, Triplicane High Road,
Triplicane, Chennai - 600 005.

..Petitioner(s)

Vs.

V. Perumal
H/o. S.P.Aishwarya,
S/o.M.Venu,
No.33 Sri Thandu Mariamman Koil Street,
Atchikkadu Village, Mandavai Post,
Tindivanam Tk., Villupuram District - 604 303

also at Plot No.B-2, Iyyans Nakshtra Apartments,
Block -E, II Floor, Gnananda Nagar,
Madambakkam, Chennai - 600 126.

..Respondent(s)

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, 1908, to withdraw and transfer the HMOP.No.27 of 2025 on the file of the Principal Sub Court, Tindivanam to the III-Additional Family Court at Chennai.

For Petitioner(s) : Mr.A.Arunbabu

For Respondent(s): No appearance



ORDER

Heard the learned counsel for the petitioner (wife).

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2. The respondent (wife) in H.M.O.P.No.27 of 2025 on the file of the Principal Sub Court, Tindivanam, is the petitioner herein.

3. The petitioner has taken out this Transfer C.M.P on the following grounds:

i). she suffered miscarriage for about four times and she has become so weak.

ii) she met with an accident on 18.03.2025, which resulted in a ligament tear. This has also impaired her mobility and

iii). she finds it difficult to attend the Court proceedings at Tindivanam as she has to travel from Chennai to Tindivanam.

4. The learned counsel for the petitioner would reiterate the grounds set out in the transfer CMP and seeks to transfer the aforestated OP from the file of the Principal Sub Court, Tindivanam to the file of III-Additional Family Court at Chennai.

5. Despite the receipt of notice, the respondent neither appeared nor entered appearance through his counsel.



6. The principles regarding transfer petitions, more specifically in the matters of matrimonial cases are well settled by the Hon'ble Supreme Court in the following cases:-

“i. In AIR 2000 SC 3512 (1) (Mona Aresh Goel vs. Aresh Satya Goel), when the wife pleaded that she was unable to bear the traveling expenses and even to travel alone and stay at Bombay, the Supreme Court ordered transfer of proceedings.

ii. In 2000 (10) SCC 304 (Geeta Heera Vs. Harish Chander Heera), the Hon'ble Supreme Court has held that where the petitioner's wife has pleaded lack of money, the same has to be considered.

lii. In Lalita A. Ranga Vs. Ajay Champalal Ranja reported in (2009) 9 SCC 355, wherein the wife, who was having small child and she was finding it difficult to travel from Jaipur to Bombay, and the Hon'ble Apex Court accepting her request ordered the transfer petition in favour of the wife transferring the transfer petition from Family Court at Bandra in Mumbai to the Family Court at Jaipur.”

7. In consideration of the above said details, the request of the petitioner herein / wife appears to be based on justifiable cause and accordingly, this



Transfer Civil Miscellaneous Petition is allowed. Sequel to this, H.M.O.P.No.27 of 2025 pending on the file of the Principal Sub Court, Tindivanam is withdrawn and transferred to the file of the III-Additional Family Court, Chennai. The learned Judge of the III-Additional Family Court, Chennai on receipt of the records shall take all effective steps to try along with H.M.O.P.No.3112 of 2025 and dispose of the said H.M.O.Ps in accordance with law at the earliest. No Costs. Consequently, connected Civil Miscellaneous Petitions are closed.

10-04-2026

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

MAC

To

1. The Principal Sub Court, Tindivanam
2. The III-Additional Family Court, Chennai



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R.KALAIMATHI, J.

MAC

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