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Tr.C.M.P.No.906 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P.No.906 of 2025

and

C.M.P.No.20783 of 2025

Monisha

... Petitioner

Versus

Thamaraiselvan @ Arunraj

... Respondent

Prayer in Tr.C.M.P.No.906 of 2025: Petition filed under Section 24 of C.P.C., to withdraw and transfer H.M.O.P.No.132 of 2024 from the file of the learned Subordinate Court, Gudiyatham, to the file of the Sub Court, Arakkonam.

Prayer in C.M.P.No.20783 of 2025: Petition filed under Section 151 of C.P.C., to stay the proceedings in H.M.O.P.No.132 of 2024 on the file of the learned Subordinate Court, Gudiyatham, pending disposal of the Transfer Civil Miscellaneous Petition.

For Petitioner : Mr.M.Venkadesh Kumar

For Respondent : No appearance



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ORDER

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2. This Transfer Civil Miscellaneous Petition has been filed seeking transfer of H.M.O.P.No.132 of 2024 now pending on the file of the learned Subordinate Court, Gudiyatham, to the Subordinate Court, Arakkonam.

3. The case of the petitioner/wife, in brief, is that the marriage between the parties was solemnized on 27.05.2020 as per Hindu rites and customs and a girl child was born on 01.05.2021. It is stated that the respondent/husband has instituted H.M.O.P.No.132 of 2024 before the Subordinate Court, Gudiyatham, seeking divorce on the ground of cruelty.

4. The petitioner states that she is presently residing at Sholingur, Ranipet District and that travelling to Gudiyatham for each hearing causes hardship; the distance is stated to be about 85 km one way and the journey takes more than 3 hours. She also states that she is financially weak and is unable to bear the expenses of travel and conduct of the proceedings. Hence, she seeks transfer of the HMOP to the Sub Court, Arakkonam.



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5. In matrimonial matters, the consistent approach is to give due weight to the convenience and hardship pleaded by the wife, particularly where she has childcare responsibilities and asserts financial difficulty. The petitioner has specifically pleaded travel hardship and inability to meet litigation/travel expenses, besides the fact of having a minor girl child.

6. Considering the above circumstances, this Court is of the view that ordering transfer would advance the interests of justice and avoid undue hardship to the petitioner.

7. Accordingly, Tr.C.M.P.No.906 of 2025 is allowed. H.M.O.P. No.132 of 2024 on the file of the Subordinate Court, Gudiyatham, is withdrawn and transferred to the file of the Sub Court, Arakkonam. The Subordinate Court, Gudiyatham, shall transmit the entire records to the Sub Court, Arakkonam, within three (3) weeks from the date of receipt of this order and the Sub Court, Arakkonam shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any



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DR. A.D. MARIA CLETE, J

observations made in this order. Interim stay granted by this Court on 25.08.2025 shall stand vacated and C.M.P.No.20783 of 2025 is closed. There shall be no order as to costs.

06.01.2026

cda

Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation: Yes / No

To

1.The Subordinate Court, Gudiyatham.

2.The Sub Court, Arakkonam.

**Tr.C.M.P.No.906 of 2025
and
C.M.P.No.20783 of 2025**