



WEB COPY

TR CMP No. 908 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2026

CORAM

THE HON'BLE MRS.JUSTICE R. KALAIMATHI

TR CMP No. 908 of 2025

CMP No.20806 of 2025

V.Kiruthika

..Petitioner(s)

Vs

R.Sivabalan

..Respondent(s)

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C. seeking to withdraw H.M.O.P.No.83 of 2025 on the file of the District Judge, Family Court, Perambalur District, and transfer the same to the Family Court, Trichy, Trichy District.

For Petitioner(s): Mr.S.Senthilnathan

For Respondent(s): Mr.J.Ranjit Kumar

ORDER

Heard learned counsel for the petitioner (wife) and learned counsel for the respondent (husband).

2.The respondent (wife) in HMOP No.83 of 2025 on the file of the District Judge, Family Court, Perambalur District, is the petitioner herein.

3.The petitioner would aver that at present she is staying with her parents at Trichy along with her school going girl child and she is carrying on her dental profession as a doctor at Trichy. She would further aver that she



finds it difficult to travel from her residential place Kattur, Thiruverambur, Trichy to Perambalur and she has to travel 70 km to attend Court hearings.

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4.Learned counsel for the petitioner would reiterate the grounds set out in the Transfer CMP and seeks for transfer of HMOP No.83 of 2025 from the file of Family Court, Perambalur District to the file of Family Court, Trichy.

5.Learned counsel for the respondent would vehemently contend that the respondent would find it difficult to travel to Trichy from Perambalur, which would cause inconvenience and hardship to him.

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 travelling 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.

iii. In Lalita A. Ranga Vs. Ajay Champalal Ranja reported in (2009) 9 SCC 355 , wherein the wife, who was



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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 ordered. Sequel to this, H.M.O.P.No.83 of 2025 pending on the file of learned District Judge, Family Court, Perambalur District, is withdrawn and transferred to the file of the Family Court at Trichy District. The Family Court, Trichy District, on receipt of the records to try and dispose of the matter in accordance with law at the earliest. No Costs. Consequently, connected Civil Miscellaneous Petition is closed.

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

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To.

1.The District Judge
Family Court
Perambalur District

2.Family Court
Trichy

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R.KALAIMATHI, J.

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