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Tr.C.M.P.No.964 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P.No.964 of 2025

and

C.M.P.No.21769 of 2025

1.R.Subalakshmi
2.Mr.S.Ramesh
3.Mrs.R.Tamilselvi

... Petitioners

Versus

Mrs.D.Dhanalakshmi

... Respondent

Prayer in Tr.C.M.P.No.964 of 2025: Petition filed under Section 24 of C.P.C., to withdraw and transfer the Domestic Violence Case in D.V.C.No.5 of 2023 from the file of the learned Judicial Magistrate No.II, Tindivanam, Villupuram Distirct, to the file of the learned Judicial Magistrate No.II, Alandur, Chengalpattu District.

Prayer in C.M.P.No. 21769 of 2025: Petition filed under Section 151 of C.P.C., to stay the all further proceedings in D.V.C.No.5 of 2023 on the file of the learned Judicial Magistrate No.II, Tindivanam, Villupuram Distirct, pending disposal of the Transfer Civil Miscellaneous Petition.

For Petitioners : Ms.R.Thenmozhi Shivaperumal

For Respondent : No appearance



Tr.C.M.P.No.964 of 2025

ORDER

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Heard.

2. This Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C., seeking transfer of D.V.C.No.5 of 2023 pending on the file of the Judicial Magistrate No.II, Tindivanam to the file of the Judicial Magistrate No.II, Alandur.

3. The case of the petitioners, in brief, is that the first petitioner is the daughter of petitioners 2 and 3 and they are residents of Anakaputhur, Chengalpattu District. The first petitioner's marriage was solemnized on 12.09.2022 with the respondent's son and the matrimonial relationship turned hostile. The first petitioner has filed H.M.O.P.No.737 of 2023 for divorce before the Sub Court, Alandur.

4. It is further stated that the first petitioner lodged a complaint on 03.01.2023 before the All Women Police Station, Tindivanam, and the criminal case is pending as C.C.No.47 of 2023 before the Judicial Magistrate No.II, Tindivanam. It is alleged that, as a counterblast, the respondent

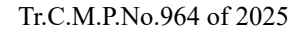


Tr.C.M.P.No.964 of 2025

instituted D.V.C.No.5 of 2023 on 04.01.2023 against the first petitioner and her parents before the same Court at Tindivanam.

5. The principal grounds urged are (i) the petitioners' difficulty in travelling to Tindivanam from their place of residence and (ii) safety concerns. The affidavit states an incident where the respondent's son and family members allegedly obstructed the petitioners' car, broke the window glass and attempted assault, due to which the first petitioner apprehends lack of safety in attending the proceedings at Tindivanam. It is also stated that the second petitioner (father) has undergone serious medical treatment and is unable to undertake long travel, and his discharge particulars are also produced.

6. This Court, while considering transfer under Section 24 of C.P.C., is to be guided by the ends of justice, convenience of parties, and the overall circumstances. In matrimonial / family-related litigations, the consistent approach is that the convenience and safety of the wife deserves due weight, unless countervailing factors warrant otherwise. The petitioners have also referred to precedents emphasising convenience and apprehension of harm as relevant considerations for transfer.



8. Accordingly, Tr.C.M.P.No.964 of 2025 is allowed. D.V.C.No.5 of 2023 on the file of the Judicial Magistrate No.II, Tindivanam, Villupuram District, is withdrawn and transferred to the file of the Judicial Magistrate No.II, Alandur, Chengalpattu District. The Judicial Magistrate No.II, Tindivanam, shall transmit the entire records to the Judicial Magistrate No.II, Alandur, within three (3) weeks from the date of receipt of this order and the Judicial Magistrate No.II, Alandur shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order and C.M.P.No.21769 of 2025 is closed. There shall be no order as to costs.

cda
Index: Yes / No
Speaking Order / Non-speaking Order

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Tr.C.M.P.No.964 of 2025

To

1.The Judicial Magistrate No.II,
Tindivanam, Villupuram Distirct.

2.The Judicial Magistrate No.II,
Alandur, Chengalpattu District.



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Tr.C.M.P.No.964 of 2025

DR. A.D. MARIA CLETE, J

cda

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and
C.M.P.No.21769 of 2025**

08.01.2026