



TR CMP No. 1006 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-03-2026

CORAM

THE HON'BLE MRS.JUSTICE R. KALAIMATHI

**TR CMP No. 1006 of 2025
and
CMP No.22566 of 2025**

Suryakala,
W/o. N. Pradeepkumar,
No.25, Lingam Street,
Mettupalayam, Kathirvedu,
Puzhal, Thiruvallur.

Now Residing at No.1, Rose Garden Apartments,
New Street, Kallikuppam Aarch, Ambattur,
Thiruvallur District - 600053.

..Petitioner(s)

Vs.

N.Pradeepkumar
S/o. Nagarajan,
No.7-2/8, Muthaiya Street,
Elampillai Post,
Salem - 637502.

..Respondent(s)

Prayer: Transfer Civil Miscellaneous Petition is filed under section 24 of Code of Civil Procedure, 1908, to withdraw and transfer the HMOP. No.15 of 2025 on the file of the Family Court at Salem to Sub-Court at Ambattur, Thiruvallur District.

For Petitioner(s): Mr.J.Paulraj

For Respondent(s): Mr..K.Rajendra Prasad



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ORDER

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Heard the learned counsel for the petitioner and the learned counsel for the respondent.

2. The petitioner who is the respondent / wife in H.M.O.P.No.15 of 2025 on the file of Family Court, Salem has filed this Transfer Civil Miscellaneous Petition seeking to transfer the said H.M.O.P., to the Sub Court at Ambattur, Thiruvallur District, by stating that she is not in a position to travel to Salem from Ambattur.

3. Reiterating the said contention, the learned counsel for the petitioner would further add that she is living in her parents' home along with her aged parents at Ambattur, Thiruvallur District and she finds it difficult to travel from Ambattur to Salem for all the hearing dates.

4. Per contra, the learned counsel for the respondent would submit that on hearing dates alone she needs to travel and sought for dismissal of the Transfer Civil Miscellaneous Petition.

5. 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.

iii. 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.”

6. On perusal of petition filed in H.M.O.P.No.15 of 2025, it appears that petitioner/husband is the resident of Salem District (Elampillai) and the respondent/wife is the resident of Thiruvallur District (Ambattur).

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.15 of 2025 pending on the file of the Family Court, Salem is



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withdrawn and transferred to the file of the Sub Court at Ambattur, Thiruvallur District. The Sub Court at Ambattur, 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.

13-03-2026

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

MAC

To

1. The Sub Court, Ambattur
2. The Family Court, Salem



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R.KALAIMATHI, J.

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