



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2026

PRESENT:

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P. No.987 of 2025
and
C.M.P.Nos.22258 & 22259 of 2025

C. Santhoshi

... Petitioner

Vs.

V.Pasupathi

... Respondent

Prayer in Tr.C.M.P. No.987 of 2025: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the HMOP.No.21 of 2024 pending on the file of the Sub Judge Court at Tirutani and transfer the same to the file of the Sub Judge Court, Alandur.

Prayer in C.M.P. No.22258 of 2025: To pass an order of dispense with the personal appearance of the petitioner in the proceeding in HMOP.No.21 of 2024 pending on the file of the Sub Judge at Tirutani.

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Prayer in CMP.No.22259 of 2025: To pass an order of ad interim stay of the proceeding in HMOP No.21 of 2024 pending on the file of Sub Judge at Tirutani.

For Petitioner : Mrs.Rajkumari.D for Mr.S.Ganeshkumar

For Respondent : Mr,P.Surendran

ORDER

Heard.

2. This Transfer Civil Miscellaneous Petition has been filed by the petitioner/wife under Section 24 of the Code of Civil Procedure, seeking withdrawal of H.M.O.P. No.21 of 2024 pending on the file of the Subordinate Court, Tirutani and transfer of the same to the file of the Subordinate Court, Alandur.

3. The learned counsel for the respondent opposed the petition contending that the petitioner/wife is only temporarily residing at Chennai as she was placed in Australia.

4. Per contra, the learned counsel for the petitioner submitted that the petitioner had gone abroad only to attend a nursing course and has returned to Chennai. It is further submitted that the petitioner is having the care and custody of a three year



old minor child, who is stated to be suffering from lung disease.

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5. Having regard to the aforesaid circumstances, and considering that the petitioner is the wife having custody of a very young child who is stated to be suffering from lung ailment, this Court is inclined to allow the transfer petition.

6. Accordingly, Tr.C.M.P. No.987 of 2025 is allowed and H.M.O.P. No.21 of 2024 pending on the file of the Subordinate Court, Tirutani is withdrawn and transferred to the file of the Subordinate Court, Alandur. The Subordinate Court, Tirutani is directed to transmit the entire records forthwith to the Subordinate Court, Alandur. The Subordinate Court, Alandur shall take up the matter and proceed in accordance with law, after due notice to both parties. In view of the above, C.M.P. Nos.22258 & 22259 of 2025 are closed. No costs.

13.02.2026

dpq/ay

Index : Yes/No

NCC : Yes/No

Speaking Order / Non-Speaking Order



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DR. A.D. MARIA CLETE, J.

dpq

To

1. The Subordinate Court, Titutani
2. The Subordinate Court, Alandur.

Tr.C.M.P. No.987 of 2025
and
C.M.P.Nos.22258 & 22259 of 2025

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