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Tr.C.M.P.No.959 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.959 of 2025

and

C.M.P.No.21685 of 2025

Sooriya

... Petitioner

Versus

Mr.Ramamoorthy

... Respondent

Prayer in Tr.C.M.P.No.959 of 2025: Petition filed under Section 24 of C.P.C., to withdraw and transfer the H.M.O.P.No.206 of 2023 from the file of the Subordinate Court, Arakkonam, to the file of the learned Principal Subordinate Judge, Kanchipuram District.

Prayer in C.M.P.No. 21685 of 2025: Petition filed under Section 151 of C.P.C., to stay the all further proceedings in H.M.O.P.No.206 of 2023 on the file of the Subordinate Court, Arakkonam, pending disposal of the Transfer Civil Miscellaneous Petition.

For Petitioner : Mr.S.Silambuselman

For Respondent : No appearance



Tr.C.M.P.No.959 of 2025

ORDER

WEB COPY Heard.

2. The petitioner is the wife. The marriage between the petitioner and the respondent was solemnized on 11.09.2016 and they have a minor female child born on 27.05.2018. The respondent/husband has filed H.M.O.P.No.206 of 2023 before the Subordinate Court, Arakkonam, seeking dissolution of marriage. The petitioner states that she is residing within the jurisdiction of Kanchipuram District, and that it would be difficult for her to travel and attend each and every hearing at Arakkonam, especially having to take care of the minor child and being dependent on her parental support.

3. This Court has considered the scope of Section 24 of C.P.C. In matrimonial matters, the convenience of the wife, particularly when she has the custody/care of a minor child, is a relevant and weighty consideration. The proceedings in H.M.O.P.No.206 of 2023 are yet to be concluded and the matter is at an early stage. No serious prejudice will be caused to the respondent if the case is tried at Kanchipuram, whereas denial of transfer would cause hardship and inconvenience to the petitioner.



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4. Considering the overall facts and circumstances, and in the interest of justice, this Court is of the view that the Transfer Civil Miscellaneous Petition deserves to be allowed.

5. Accordingly, Tr.C.M.P.No.959 of 2025 is allowed. H.M.O.P.No.206 of 2023 on the file of the Subordinate Court, Arakkonam, is withdrawn and transferred to the file of the Principal Subordinate Judge, Kanchipuram. The Subordinate Court, Arakkonam, shall transmit the entire records to the Principal Subordinate Judge, Kanchipuram, within three (3) weeks from the date of receipt of this order and the Principal Subordinate Judge, Kanchipuram 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.21685 of 2025 is closed. There shall be no order as to costs.

08.01.2026

cda

Index: Yes / No

Speaking Order / Non-speaking Order



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DR. A.D. MARIA CLETE, J

cda

To

- 1.The Subordinate Court, Arakkonam.
- 2.The Principal Subordinate Judge, Kanchipuram District.

**Tr.C.M.P.No.959 of 2025
and
C.M.P.No.21685 of 2025**

08.01.2026