



WEB COPY

TR CMP No. 1086 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 09-04-2026**

CORAM

**THE HON'BLE MRS.JUSTICE R. KALAIMATHI**

**TR CMP No. 1086 of 2025**

**and**

**CMP No.24454 of 2025**

S.L.Darani  
D/o. Loganathan,  
No.36/11D, Bhuvaneswari Nagar,  
Thekkupalayam Post,  
Periyanaikkenpalayam,  
Coimbatore - 641020.

..Petitioner(s)

Vs.

R.Sanjaykumar  
S/o. Rajendran,  
Residing at 29/65, 21 Cross,  
iBharathidasan Street,  
Hosur, Krishnagiri District.

Currently residing at No.35,  
Agasthiya Avenue,  
Nathan Nagar Extension,  
Kothur Road, Hosur,  
Krishnagiri District.

..Respondent(s)

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, 1908, to withdraw and transfer in HMOP No.36 of 2025 which is pending on the file of the Additional Sub Court, at Hosur to be tried before the Family Court at Coimbatore District.

For Petitioner(s) : Mr.M.Dinesh Sharma

For Respondent(s): Mr.G.Ashok kumar

**ORDER**

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

2. The respondent in H.M.O.P.No.36 of 2025 on the file of the Additional Sub Court, Hosur, is the petitioner herein. The said H.M.O.P. has been filed for dissolution of marriage on the ground of cruelty under Section 13(1)(i-a) of the Hindu Marriage Act, 1955.

3. The petitioner would aver that she has been residing at Coimbatore along with her parents and she finds it difficult to travel to Hosur from Coimbatore for all the Court hearings, as she has to travel a distance of approximately 305 kms one way.

4. The learned counsel for the petitioner would reiterate the grounds set out in the petition and seeks transfer of the aforesaid O.P. to the Family Court at Coimbatore.

5. The learned counsel for the respondent would strenuously argue that before the Sub Court, she can even represent her case through counsel and seeks dismissal of the Transfer Civil Miscellaneous Petition.



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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 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."*

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.MO.P.No.36 of 2025 pending on the file of the Additional Sub Court, Hosur, is withdrawn and transferred to the file of the Family Court, Coimbatore. The learned Judge, Family Court, Coimbatore, on receipt of the records shall take all effective steps to try and dispose of the matter in accordance with law at the earliest. No Costs. Consequently, connected Civil Miscellaneous Petition is closed.

**09-04-2026**

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MAC

To

1. The Additional Sub Court, Hosur
2. The Family Court, Coimbatore



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**R.KALAIMATHI, J.**

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