



Tr.C.M.P.No.1031 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2026

CORAM:

THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE

Tr.C.M.P. No.1031 of 2025

&

C.M.P. No.23216 of 2025

V.Gayathri
D/o. Vanangamudi, No.1, 2nd East Street,
Mannarai Sathya Colony,
Tiruppur Town, Tiruppur.

... Petitioner

-Versus-

R.Naveenvignesh
S/o. Ramesh, No.8-2-290, 4th Street,
Kamarajar Nagar, Andipatti Town,
Theni District.

... Respondent

Prayer in Tr.C.M.P. No.1031 of 2025: Transfer Petition filed under Section 24 of C.P.C., to withdraw and transfer the H.M.O.P. No.384 of 2025 from the Hon'ble Family Court, Theni to Family Court at Tiruppur and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the



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case and thus render justice.

Prayer in C.M.P.23216 No. of 2025: Petition seeking to stay all further proceedings in HMOP No.384 of 2025 on the file of Hon'ble Family Court, Theni , pending disposal of the Transfer C.M.P.

For Petitioner : Mr.P.Thinesh, Advocate

For Respondent : Mr.C.Ganesh Kumar, Advocate

ORDER

Heard .

2. The present Transfer Civil Miscellaneous Petition has been filed by the petitioner/wife seeking withdrawal of H.M.O.P.No. 384 of 2025 from the file of the Family Court, Theni to the file of Family Court at Tiruppur.

3.The petitioner is the wife. The marriage between the petitioner/wife and the respondent/husband was solemnized on 16.07.2021. The respondent/husband has instituted H.M.O.P.No.384 of 2025 before the Family Court, Theni, seeking dissolution of marriage on the ground of cruelty under Section 13(1)(i-a) of the Hindu Marriage Act.

4. The petitioner states that she is residing at Tiruppur; that the distance



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between Tiruppur and Theni is about 180 kms; that she is unemployed and dependent on her mother; and that it is difficult for her to travel for each and every hearing.

5.The respondent opposes the transfer contending, inter alia, that the petitioner had earlier lodged a complaint before the All Women Police Station, Andipatti; that she has suppressed certain facts; that she had incorrectly stated as if there is a child; and that if the case is transferred to Tiruppur, he apprehends threat and hardship.

6. At the hearing, the learned counsel for the petitioner submitted that the averment regarding the petitioner having a child was wrongly stated and, in fact, there are no children from the wedlock. The respondent also states that there is no child.

7. This Court has considered the rival submissions. In transfer petitions arising out of matrimonial proceedings, the consistent approach is to give primacy to the convenience of the wife, particularly when she pleads lack of independent



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means and difficulty in travelling long distance for every hearing. The petitioner has pleaded residence at Tiruppur and difficulty in undertaking travel of about 180 kms for each hearing.

8. In the facts of this case, this Court is satisfied that the balance of convenience is in favour of the petitioner and that transfer will subserve the ends of justice. Accordingly, the transfer petition deserves to be allowed.

9. Accordingly, Tr.C.M.P. No.1031 of 2025 is allowed. H.M.O.P. No.384 of 2025 on the file of the Family Court, Theni, is withdrawn and transferred to the file of the Family Court, Tiruppur. The Family Court, Theni, shall transmit the entire records to the Family Court, Tiruppur, within three (3) weeks from the date of receipt of this order and the Family Court, Tiruppur, shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. C.M.P. No.23216 of 2025 is closed. There shall be no order as to costs.

03.02.2026

jv/mfa

Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation: Yes / No

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To

1. The Family Judge, Theni.
2. The Family Judge at Tiruppur.



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DR. A.D. MARIA CLETE, J

jv/mfa

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