



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-02-2026

CORAM

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

TR CMP No. 1035 of 2025

and

CMP NO.23240 OF 2025

R. Aruna
D.No. 13, Teachers Colony, 3rd Street,
Nanganallur, Thazhukenseri, Alandur, Chennai,
Tamil Nadu - 600 061.

..Petitioner(s)

Vs

R.Pradeep Kumar
D.No. 41C, Krishnarajapuram 6th Street,
Thoothukudi, Tamil Nadu - 628002. Having office
at Element Deer Valley 19920N, 23rd Avenue, Apt
M 3077, Phoenix Ax 85027-7450, USA. Being rep.
by his mother/Power Agent, R. Rajalakshmi,
D.No.41C, Krishnarajapuram 6th Street,
Thoothukudi, Tamil Nadu - 628 002.

..Respondent(s)

PRAYER IN TRCMP To withdraw the said H.M.O.P. No.152 of 2024 from the file of Honble Family Court at Thoothukudi and transfer the same to the learned Subordinate Judge at Alandur having jurisdiction and pass such further or other orders in this regard as this Honble Court may deem fit and proper in light of the facts and circumstances of the case and thus render justice.

PRAYER IN CMP To stay of all further proceedings in H.M.O.P. No.152 of 2024 from the file of Honble Family Court at Thoothukudi pending disposal of the this transfer petition.

For Petitioner(s): Mr.Jagadheesan M

For Respondent(s): M/s.R.Thirumoorthy



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**TR CMP No. 1036 of 2025
and
CMP No.23244 of 2025**

R.Aruna
D.No. 13, Teachers Colony, 3rd Street,
Nanganallur, Thazhukenseri, Alandur, Chennai,
Tamil Nadu - 600 061.

..Petitioner(s)

Vs

R.Pradeep Kumar
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Having office at Element Deer Valley 19920N,
23rd Avenue, Apt M 3077, Phoenix Ax 85027-
7450, USA. Being rep. by his mother/Power
Agent, R. Rajalakshmi, D.No.41C,
Krishnarajapuram 6th Street,
Thoothukudi, Tamil Nadu - 628 002.

..Respondent(s)

PRAYER IN TR CMP : To withdraw the said H.M.O.P. No.79 of 2024 from the file of Honble Family Court at Thoothukudi and transfer the same to the learned Subordinate Judge at Alandur having jurisdiction and pass such further or other orders in this regard as this Honble Court may deem fit and proper in light of the facts and circumstances of the case and thus render justice.

PRAYER IN CMP: To stay of all further proceedings in H.M.O.P. No.79 of 2024 from the file of Family Court at Thoothukudi, pending disposal of the above transfer petition.



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For petitioner: Mr.Jagadheesan

For Respondent: Mr.R.Thirumoorthy

COMMON ORDER

Heard.

2. These Transfer Civil Miscellaneous Petitions have been filed by the petitioner/wife seeking transfer of H.M.O.P. No.152 of 2024 and H.M.O.P. No.79 of 2024 from the file of the Family Court, Thoothukudi, to the file of the Subordinate Court, Alandur.
3. The parties are spouses. Their marriage was solemnized according to Hindu rites and rituals on 08.09.2021 at Nanganallur, Chennai. A girl child was born to them on 28.09.2022 and the petitioner is stated to be taking care of the minor child.
4. It is stated that the respondent/husband has initiated proceedings under Section 13(1)(ia) of the Hindu Marriage Act, 1955 in H.M.O.P. No.79 of 2024 seeking divorce on the ground of cruelty. The petitioner/wife has initiated proceedings under Section 9 of the Hindu Marriage Act, 1955 seeking restitution of conjugal rights, which is pending as H.M.O.P. No.152 of 2024.



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5. According to the petitioner, both the cases are pending before the Family Court, Thoothukudi and the petitioner/wife is residing at Alandur. It is also submitted that the matters are in the pre-trial stage and that the petitioner would suffer hardship if she is compelled to travel to Thoothukudi for every hearing, while she is taking care of the minor child.
6. This Court has considered the above submissions. In transfer petitions arising out of matrimonial proceedings, the convenience of the wife, particularly when she is having the responsibility of a minor child, is a relevant consideration. The matters being in the pre-trial stage, no prejudice would be caused to the respondent by transfer, whereas the petitioner would otherwise be put to avoidable hardship.
7. In the above circumstances, this Court is satisfied that the transfer sought deserves to be allowed.
8. Accordingly, Tr.C.M.P. No.1035 of 2025 and Tr.C.M.P. No.1036 of 2025 are allowed. H.M.O.P. No.152 of 2024 and H.M.O.P. No.79 of 2024 on the file of the Family Court, Thoothukudi, are withdrawn and transferred to the file of the learned Subordinate Judge, Alandur. The Family Court, Thoothukudi, shall transmit the entire records to the



learned Subordinate Judge, Alandur, within three (3) weeks from the date of receipt of this order and the learned Subordinate Judge, Alandur shall dispose of the matters in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. Consequently, connected C.M.P. Nos.23240 & 23244 of 2025 are closed.

There shall be no order as to costs.

24-02-2026

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

MFA

To

1. Family Court at Thoothukudi
2. Subordinate Judge at Alandur



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DR.A.D.MARIA CLETE, J.

MFA

**TR CMP No. 1035 of 2025
and
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and
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