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TR CMP No. 1012 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2026

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THE HON'BLE MRS.JUSTICE R. KALAIMATHI

TR CMP No.1012 of 2025
and CMP No.22659 of 2025

Vennila
W/o. Praveen

..Petitioner(s)

Vs

Praveen
S/o. Pannerselvam

..Respondent(s)

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C. seeking to withdraw and transfer the O.P.No.3471 of 2025 on file of IV Additional Family Court at Chennai to Family Court at Erode.

For Petitioner(s): Mr.M.Saravanakumar

For Respondent(s): Mr.C.R.Malarvannan

ORDER

Heard learned counsel for the petitioner / wife and learned counsel for the respondent / husband.

2.The respondent (wife) in O.P.No.3471 of 2025 on the file of the IV Additional Family Court at Chennai, is the petitioner herein.

3.The petitioner / wife seeks to transfer the aforesaid O.P. to the file of Family Court, Erode on the following grounds:



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(i) She has been staying with her parents at Erode along with her 1 ½ year old girl child; and

(ii) She finds it difficult to travel a distance of about 500 Km to reach the trial Court at Chennai to attend every hearing with her baby.

4.Learned counsel for the petitioner (wife) would reiterate the grounds set out in the Transfer CMP and seeks to transfer the aforesaid O.P. from the file of IV Additional Family Court at Chennai to the file of Family Court at Erode.

5.Learned counsel for the respondent would vehemently contend that the respondent is working in Saudi Arabia and he would be put to inconvenience and hardship if the above petition is transferred to Erode.

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 travelling 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



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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 ordered. Sequel to this, O.P.No.3471 of 2025 pending on the file of the IV Additional Family Court at Chennai is withdrawn and transferred to the file of the Family Court at Erode. Learned Judge of the Family Court, Erode, on receipt of the records to try and dispose of the matter in accordance with law at the earliest. No Costs. Consequently, connected Civil Miscellaneous Petition is closed.

24-04-2026

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

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To.

1.The IV Additional Family Court
Chennai

2.The Family Court
Erode

TR CMP No. 1012 of 2025



R.KALAIMATHI, J.

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