



Tr.C.M.P.No. 1044 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:23.01.2026

**CORAM:
THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE**

Tr.C.M.P. No.1044 of 2025

and

C.M.P. No.23462 of 2025

E. THEJASHREE,
D/o. C. Elumalai,
No.26, Maha Vishnu Nagar,
Karthikeyapuram, Tiruttani Taluk,
Thiruvallur District – 631211.

... Petitioner

-versus-

B. ASWIN,
S/o. D. Balaji,
No.22/1/73, 3rd Lane, New Street,
Ayanavaram, Chennai – 600023.
Prayer in Tr.C.M.P. No.1044 of 2025:

... Respondent

PRAYER IN TRCMP:

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw H.M.O.P. No.1895 of 2025 pending on the file of the VI Additional Principal Family Court, Chennai, and transfer the same to the file of the Sub Court, Tiruttani, and pass such further or other orders.



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Prayer in C.M.P. No.23462 of 2025:

Petition to grant interim stay of all further proceedings in H.M.O.P. No.1895 of 2025 pending on the file of the VI Additional Principal Family Court, Chennai, pending disposal of the Transfer C.M.P.

For Petitioner : Mr.B.Gopalakrishnan

For Respondent :Mr.Suriya Prakash

ORDER

1. Heard.
2. This Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking transfer of H.M.O.P. No.1895 of 2025 pending on the file of the VI Additional Principal Family Court, Chennai, to the file of the Sub Court, Tiruttani.
3. The marriage between the parties was solemnized on 21.02.2024. It is the case of the petitioner that she is now residing with her parents at Tiruttani Taluk, Thiruvallur District, and she is unable to undertake travel to Chennai for each hearing. The petitioner has also stated that she has initiated proceedings for maintenance, viz., M.C. No.08 of 2025 on the file of the Judicial Magistrate No.I, Tiruttani, and the same is pending.



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4. The petitioner would submit that the distance between Tiruttani and Chennai is about 180 kms (up and down) and that it requires substantial travel time, which causes hardship. On the other hand, the respondent/husband is stated to be employed and is in a position to attend proceedings.

5. This Court has considered the rival circumstances. In transfer matters arising out of matrimonial proceedings, the convenience of the wife, her ability to attend Court, and avoidance of undue hardship are relevant considerations. When the petitioner is residing at Tiruttani, and when connected proceedings are also stated to be pending within/near that jurisdiction, directing the petitioner to travel to Chennai for every hearing would cause avoidable hardship. No prejudice is shown to be caused to the respondent if the matter is tried at Tiruttani, whereas refusal of transfer would result in serious inconvenience to the petitioner. Considering the above, this Court is satisfied that the petitioner has made out a case for transfer.



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6. Accordingly, Tr.C.M.P. No.1044 of 2025 is allowed.

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H.M.O.P. No.1895 of 2025 on the file of the VI Additional Principal Family Court, Chennai, is withdrawn and transferred to the file of the Sub Court, Tiruttani. The VI Additional Principal Family Court, Chennai, shall transmit the entire records to the Sub Court, Tiruttani, within three (3) weeks from the date of receipt of a copy of this order and the Sub Court, Tiruttani, shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. Interim stay granted by this Court on 25.09.2025 shall stand vacated and C.M.P. No.23462 of 2025 is closed. There shall be no order as to costs.

23.01.2026

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To

1. VI Additional Principal Family Court, Chennai

2. Sub Court, Tiruttani,



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DR. A.D. MARIA CLETE, J

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and
C.M.P. No.23462 of 2025**

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