



WEB COPY

TR CMP No. 1206 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2026

CORAM

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

TR CMP No. 1206 of 2023

AND

CMP NO. 28864 OF 2023

Kowsalya.R
W/o.Sathishkumar V., D/o.S.Ravi, NO.10,
Melakottaivasal Road, Near Military Canteen,
Ambika Tea Stall, Nagapattinam-611001

..Petitioner(s)

Vs

V.Sathishkumar
S/o.S.Velayutham, No.2/174, 2/172, Bismi Street,
Pozhichalur, Chennai-600074

..Respondent(s)

CMP No. 28864 of 2023

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W/o.Sathishkumar V., D/o.S.Ravi, NO.10,
Melakottaivasal Road, Near Military Canteen,
Ambika Tea Stall, Nagapattinam-611001

..Appellant(s)

Vs

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..Respondent(s)



TR CMP No. 1206 of 2023

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To withdraw the HMOP No.13/2023 pending on the file of Sub Court at Alandur and transfer the same to Family Court, Nagapattinam

CMP No. 28864 of 2023

To stay all further proceedings in HMOP No.13/2023 pending on the file of Sub Court at Alandur pending disposal of the Tr.CMP

TR CMP No. 1206 of 2023

For Petitioner(s): Swamisubramanian

For Respondent(s): No appearance

Order

Heard.

2. This Transfer Civil Miscellaneous Petition has been filed by the petitioner/wife under Section 24 of the Code of Civil Procedure seeking withdraw HMOP.No.13 of 2023 pending on the file of the Sub Court, Alandur and transfer of the same to the file of the Family Court, Nagapattinam.

3.The marriage between the petitioner and the respondent was solemnized on 14.09.2020 at Melakottaivasal road, Nagapattinam Village, Nagapattinam as per Hindu Rites and Customs. Out of their wedlock, one female children was born



to them.

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4.The petitioner is the wife. She states that she is residing at Nagapattinam with parents and that Nagapattinam about 600 kms away from Alandur, and therefore it is extremely difficult for her to travel and prosecute the proceedings at Alandur which has been filed by the respondent/husband for restitution of conjugal rights.

5.In transfer petitions arising out of matrimonial and allied proceedings, the paramount consideration is the ends of justice and the comparative hardship. When the wife is residing within the jurisdiction of the proposed transferee Court and she is required to travel a long distance to attend every hearing, the Court ordinarily leans in favour of her convenience, particularly when no serious prejudice is shown to be caused to the respondent.

6.In the case on hand, having regard to the petitioner's place of residence at Nagapattinam and the long distance involved, this Court is satisfied that the transfer sought deserves to be allowed, to avoid hardship and to facilitate effective adjudication.



7. Accordingly, Tr.C.M.P.1206 of 2023 is allowed.

HMOP. No.13 of 2023 on the file of the Sub Court, Alandur is withdrawn and transferred to the file of the Family Court, Nagapattinam. The Sub Court, Alandur, shall transmit the entire records to the Family Court, Nagapattinam, within three (3) weeks from the date of receipt of this order and the Family Court, Nagapattinam shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. Consequently, connected miscellaneous petition is also closed. There shall be no order as to costs.

26-02-2026

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

dpq

To

1. The Sub Court, Alandur
2. The Family Court, Nagapattinam.



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DR.A.D.MARIA CLETE J.

dpq

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