



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2026

CORAM

THE HON'BLE MRS.JUSTICE R. KALAIMATHI

TR CMP No. 1052 of 2025 & CMP.No.23661 of 2025

S.Ilakiya

D/o. M.Sundar, No. 9/3, Pazhaya Santhai Street,
Madurantakam, Chengalpattu Dist.

..Petitioner(s)

Vs

V.Natarajan

S/o. Viswanathan No. K/2, MET Quarters, 50,
College Road, Greams Road, Chennai 006

..Respondent(s)

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 151 of C.P.C. to order withdrawal and transfer of HMOP No. 3308 of 2018 from the file of the Learned VI Additional Family Court, Chennai to the file of the Learned Subordinate Court, Madurantakam.

For Petitioner(s): Mr.G.Mageshkumar

For Respondent(s): Mr.S.Premraj Kumar

ORDER

Heard the learned counsel for the petitioner and the learned counsel for the respondent.



2. The petitioner is the respondent / wife in H.M.O.P.No.3308 of 2018 on the file of the VI Additional Family Court, Chennai which is filed for an order of divorce. She has filed this Transfer Civil Miscellaneous Petition seeking to transfer the said H.M.O.P. to the file of Subordinate Court, Madhurantakam by stating that she is not in a position to travel from Madhurantakam to Chennai.

3. Reiterating the said contention, the learned counsel for the petitioner would further add that she is living in her parents' home at Madhurantakam and she finds it difficult to travel from Madhurantakam to Chennai for all the hearing dates.

4. Per contra, the learned counsel for the respondent does not have any serious objection in ordering the Transfer Civil Miscellaneous Petition.

5. The principles regarding transfer petitions, more specifically in the matters of matrimonial cases are well settled by the Honâ'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 Honâ ble Supreme Court has held that where the petitioner's wife has pleaded 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 Honâ 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.”

6. On perusal of petition filed H.M.O.P.No.3308 of 2018, it appears that petitioner/husband is the resident of Chennai and the respondent/wife is resident of Madhurantakam.

7. In consideration of all the details mentioned supra, petitioner/wife request to transfer H.M.O.P.No.3308 of 2018 which is pending before the VI Additional Family Court, Chennai appears to be based on justifiable cause and accordingly, this Transfer Civil Miscellaneous Petition is allowed. Sequel to this, H.M.O.P.No.3308 of 2018 pending on the file of the VI Additional Family Court, Chennai is withdrawn and transferred to the file of the Subordinate Court, Madhurantakam. The Subordinate Court, Madhurantakam shall take all



effective steps to dispose of the HMOP.No.3308 of 2018 at the earliest. No Costs. Consequently, connected Civil Miscellaneous Petition is closed.

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

vrc

To

1. The VI Additional Family Court,
Chennai.
2. The Subordinate Court,
Madurantakam.



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R.KALAIMATHI, J.

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