



WEB COPY

TR CMP No. 1272 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MRS.JUSTICE R. KALAIMATHI

TR CMP No. 1272 of 2025

and

CMP No.29138 of 2025

N.S.Vidhya
W/o S.R.Poovaragavan,
Door No.39, Amman Kovil Street,
Savandapoor, Gobichettipalayam Taluk,
Erode District.

Temporarily residing at
Door No.64/104, Pajanai Kovil Street,
Pariyur Nanjagoundanpalayam,
Gobichettipalayam Taluk,
Erode District.

..Petitioner(s)

Vs.

S.R.Poovaragavan
S/o Ramasamy,
Door No.39, Amman Kovil Street,
Savandapoor,
Gobichettipalayam Taluk,
Erode District.
Temporarily residing at
Door No.188-A, Ramalingam Road (west),
R.S.Puram, Coimbatore 641 002

..Respondent(s)

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, 1908, to withdraw and transfer the HMOP.No.679/2025 filed by the respondent herein from the file of the Court of Family Judge, Coimbatore to the Sub Court, Gobichettipalayam.



For Petitioner(s) : Mr.S.Sivakumar

For Respondent(s): No Appearance

ORDER

Heard the learned counsel for the petitioner.

2. The respondent (wife) in H.M.O.P.No.679 of 2025 on the file of the Principal Family Court, Coimbatore, is the petitioner herein.

3. The petitioner would aver that she is residing at Gobichettipalayam. She does not have an independent source of income. She is depending upon her parents and they are unable to travel or accompany her due to their advanced age. She would further aver that due to financial and logistical constraints, she finds it extremely difficult to travel to Coimbatore from Gobichettipalayam for all the Court hearings.

4. The learned counsel for the petitioner would reiterate the grounds set out in the transfer petition and seeks transfer of the abovestated OP to the Sub Court, Gobichettipalayam from the Family Court, Coimbatore.

5. Despite receipt of notice and the respondent's name having been printed in the cause list, the respondent neither appeared nor entered appearance through his counsel.



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 traveling 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 lack of money, the same has to be considered.

iii. In Lalita A. Ranga Vs. Ajay Champalal Ranga 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 allowed. Sequel to



this, H.MO.P.No.679 of 2025 pending on the file of the Family Court, Coimbatore, is withdrawn and transferred to the file of the Sub Court, Gobichettipalayam. The learned Judge, Sub Court, Gobichettipalayam, on receipt of the records, shall take all effective steps to try and dispose of the matter in accordance with law at the earliest. No Costs. Consequently, connected Civil Miscellaneous Petition is closed.

09-04-2026

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

MAC

To

1. The Family Court, Coimbatore
2. The Sub Court, Gobichettipalayam



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R.KALAIMATHI, J.

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