



Tr.CMP No.1050 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-01-2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

TR CMP No. 1050 of 2025

and

CMP No.23548 of 2025

R. Kavya

...Petitioner(s)

Vs

R. Rajesh

...Respondent(s)

Prayer in Tr.CMP No.1050 of 2025:

Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, pleaded to to withdraw the case H.M.O.P. No.536 of 2025 on the file of Learned Subordinate Judge at Alandur and to transfer the same to file of Hon'ble Family Court at Madurai.

Prayer in CMP No.23548 of 2025: Petition filed under Section 151 of Code of Civil Procedure, pleaded to grant interim stay of all further proceedings in H.M.O.P. No.536 of 2025 on the file of Learned Subordinate Judge at Alandur pending disposal of the Transfer Civil Miscellaneous Petition.

For Petitioner(s) : Mr.V.Ragupathy

For Respondent(s) : No appearance



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ORDER

1. Heard.
2. The petitioner is the wife. The respondent is the husband. This petition filed by wife under Section 24 of C.P.C., to withdraw H.M.O.P. No.536 of 2025 on the file of the learned Subordinate Judge, Alandur, and to transfer the same to the file of the Hon'ble Family Court, Madurai
3. The marriage between the parties was solemnised on 23.08.2018. Out of the wedlock, two children were born, namely, a male child "Guru Lithran" (born on 09.12.2019) and a female child "Ruthika Sri" (born on 12.11.2023). It is stated that the petitioner is presently residing at Madurai along with the children.
4. The respondent/husband has instituted H.M.O.P. No.536 of 2025 on the file of the learned Subordinate Judge, Alandur, under Section 9 of the Hindu Marriage Act. The records placed show that the matter is posted for counter/further steps on 05.11.2025.
5. The grievance of the petitioner is that she is residing at Madurai and is required to travel to Alandur/Chennai for each and every hearing. Having two minor children, including a girl child of tender age, she would require



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assistance for travel and it would cause hardship. According to her, the respondent can conveniently appear before the Court at Madurai and no prejudice would be caused to him if the proceedings are transferred.

6. This Court has considered the pleadings and the attendant circumstances. In transfer petitions arising out of matrimonial proceedings, the convenience of the wife, particularly when she has the responsibility of minor children, is a relevant and weighty consideration. The distance involved between Madurai and Alandur/Chennai, the nature of the proceedings, and the requirement of personal appearance on multiple dates, would undoubtedly cause greater hardship to the petitioner than to the respondent.
7. On a careful consideration of the materials, this Court is satisfied that the ends of justice would be met by transferring the proceedings to Madurai, where the petitioner is stated to be residing with the minor children, and where effective participation in the proceedings can be ensured without undue hardship.
8. Accordingly, Tr.C.M.P. No.1050 of 2025 is allowed. H.M.O.P. No.536 of 2025 on the file of the learned Subordinate Judge, Alandur, is withdrawn and transferred to the file of the Hon'ble Family



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Court, Madurai. The learned Subordinate Judge, Alandur, shall transmit the entire records to the Hon'ble Family Court, Madurai, within three (3) weeks from the date of receipt of a copy of this order and the Hon'ble Family Court, Madurai shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. C.M.P. No.23548 of 2025 is closed. There shall be no order as to costs.

20.01.2026

Index:Yes/No
Neutral Citation:Yes/No
Internet:Yes
dsn



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- To**
1. The Subordinate Court, Alandur.
 2. The Family Court, Madurai.



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DR. A.D.MARIA CLETE

dsn

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