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Tr.CMP No.1056 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. 1056 of 2025

and

CMP No.23870 of 2025

Anupreetha

...Petitioner(s)

Vs

B.Ashok Kumar

...Respondent(s)

Prayer in Tr.CMP No.1056 of 2025:

Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, pleased to withdraw H.M.O.P. No. 455 of 2025 on the file of the Family Court, Karur and transfer the same to the Family Court, Erode.

Prayer in CMP No.23870 of 2025: Petition filed under Section 151 of Code of Civil Procedure, pleased to stay all further proceedings in H.M.O.P. No. 455 of 2025 on the file of the Family Court, Karur pending disposal of the above Transfer Civil Miscellaneous Petition.

For Petitioner(s) : Mr.U.Gokulakrishnan

For Respondent(s) : No appearance



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ORDER

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1. Heard.
2. This Transfer Civil Miscellaneous Petition has been filed by the wife seeking withdrawal of H.M.O.P. No.455 of 2025 from the file of the Family Court, Karur and to transfer the same to the file of the Family Court, Erode.
3. The petitioner would state that the marriage between the parties was solemnised on 10.03.2019 and out of the wedlock, they have two minor children, viz., a daughter born on 13.03.2020 (aged about 5 years) and a son born on 07.11.2023 (aged about 1 year).
4. It is stated that the respondent/husband has filed H.M.O.P. No.455 of 2025 before the Family Court, Karur seeking divorce and that the petitioner/wife has initiated F.C.O.P. No.380 of 2025 before the Family Court, Erode.
5. The petitioner submits that she and the minor children are presently dependent on her aged parents and it would be a hardship to travel from Erode to Karur, which is stated to be a distance of nearly 70 kilometres, for each and every hearing. She also states that the respondent's parents/relatives are based at Karur and she does not feel physically and mentally secure to attend hearings there.



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6. In transfer matters arising out of matrimonial proceedings, the settled consideration is to ensure effective access to justice, avoid multiplicity and conflicting findings, and to weigh the comparative inconvenience. Where the wife is required to travel repeatedly with minor children and is dependent on aged parents, the convenience of the wife ordinarily deserves primacy.
7. In the case on hand, the petitioner has specifically pleaded (i) existence of two minor children, (ii) dependence on aged parents, (iii) travel burden of nearly 70 kilometres from Erode to Karur, and (iv) lack of a sense of security at Karur owing to the respondent's relatives being based there. Further, it is also seen that proceedings between the same parties are stated to be pending at Erode in F.C.O.P. No.380 of 2025. Having regard to the above, this Court is of the view that ends of justice would be met if the divorce petition pending at Karur is transferred to Erode.
8. Accordingly, the Transfer Civil Miscellaneous Petition deserves to be allowed and, consequentially, the interim petition also requires to be closed.
9. Accordingly, Tr.C.M.P. No.1056 of 2025 is allowed. H.M.O.P. No.455 of 2025 on the file of the Family Court, Karur, is withdrawn and transferred to the file of the Family Court, Erode. The Family



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Court, Karur, shall transmit the entire records to the Family Court, Erode, within three (3) weeks from the date of receipt of this order and the Family Court, Erode 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.23870 of 2025 is closed. There shall be no order as to costs.

20.01.2026

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

1. The Family Court, Karur.
2. The Family Court, Erode.



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DR. A.D.MARIA CLETE

dsn

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