



Tr.C.M.P.No.1261 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2026

CORAM:

THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE

Tr.C.M.P. No.1261 of 2025

Mr.A.Ashwini
W/o. M. Arunkumar, No.155, MGR Nagar,
VAK Nagar, Arni, Tiruvannamalai District - 632 301.

... Petitioner

-Versus-

M.Arunkumar
S/o. Mani, Plot No.7, Rajiv Nagar,
Old Suramangalam, Salem,
Salem District - 636 005.

... Respondent

Prayer in Tr.C.M.P. No.1261 of 2025: Transfer Petition filed under Section 24 of C.P.C., to withdraw and transfer the case in HMOP No.762 of 2025, pending trial before the Hon'ble Family Court, Salem, Salem District to Hon'ble Sub-Court Arni, Tiruvannamalai District and may pass any other further orders as this Hon'ble Court may think deem fit and proper for the facts and circumstances of the case and thus render justice.

For Petitioner : Mr.Dharani Kasinathan, Advocate



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For Respondent : Mr.P.Pandiyarajan, Advocate

ORDER

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Heard .

2. The present Transfer Civil Miscellaneous Petition has been filed by the petitioner/wife seeking withdrawal of HMOP No.762 of 2025, pending trial before the Family Court, Salem, Salem District to the Sub-Court Arni, Tiruvannamalai District

3. The marriage between the petitioner/wife and the respondent-husband was solemnized on 15.02.2024. The respondent/husband has filed H.M.O.P. No.762 of 2025 seeking dissolution of marriage and the same is pending before the Family Court, Salem.

4. The petitioner/wife is residing at Arni and is also working in Indian Bank, Arni Branch, and that the distance between Arni and Salem is about 300 kms, making it extremely difficult for her to attend every hearing, particularly as her parents are aged and cannot accompany her each time.

5. Considering the above facts, this Court finds that the petitioner/wife



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would be put to undue hardship if she is compelled to travel long distance to Salem for each and every hearing. The convenience of the wife, her place of residence and employment, and the practicality of attending proceedings, are relevant considerations. The respondent/husband can very well contest the proceedings before the transferee Court and no prejudice is caused to him by such transfer, whereas refusal of transfer would cause serious inconvenience to the petitioner. Therefore, the Transfer Civil Miscellaneous Petition deserves to be allowed.

6. Accordingly, Tr.C.M.P. No.1261 of 2025 is allowed. H.M.O.P. No.762 of 2025 on the file of the Family Court, Salem, is withdrawn and transferred to the file of the Sub Court, Arni, Tiruvannamalai District. The Family Court, Salem, shall transmit the entire records to the Sub Court, Arni, within three (3) weeks from the date of receipt of copy of this order and the Sub Court, Arni shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. There shall be no order as to costs.

03.02.2026

jv/mfa

Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation: Yes / No



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To

1. The Family Judge, Salem, Salem District.
2. The Sub Judge, Arni, Tiruvannamalai District.

DR. A.D. MARIA CLETE, J

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