



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HON'BLE MRS.JUSTICE R. KALAIMATHI

TR CMP No. 1070 of 2025

and

CMP.No.24056 of 2025

M. Manjula
W/o. B. Muniappan,
No.7, Venkateshwara Nagar,
4th Main Road, Velacherry (100 feet road),
Chennai – 600 042.

..Petitioner(s)

Vs.

B. Muniappan
S/o. Bomman,
No.113 A, Banglathotty,
Hassanur, Sathyamangalam,
Erode – 6638401.

..Respondent(s)

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw the HMOP No.13 of 2025 pending on the file of the Subordinate Court, Sathyamangalam, Erode District and transfer the same to the file of IV Additional Family Court, Chennai.

For Petitioner(s) : Mr.N.Kamalanathan
for M/s. Vinayaka K. Rajagopalan

For Respondent(s): Mr.R.Saseetharan

**ORDER**

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

2. The petitioner who is the respondent / wife in H.M.O.P.No.13 of 2025 on the file of Subordinate Court, Sathyamangalam, Erode District has filed this Transfer Civil Miscellaneous Petition seeking to transfer the said H.M.O.P., to the IV-Additional Family Court, Chennai by stating that she is not in a position to travel to Sathyamangalam from Chennai on every date of hearing.

3. Reiterating the said contention, the learned counsel for the petitioner would further add that she is living in Chennai along with her children for their study purpose and she finds it difficult to travel from Chennai to Sathyamangalam for all the hearing dates. He would further submit that the petitioner / wife has filed a maintenance case in M.C.No.417 of 2024 before the IV-Additional Court, Chennai.

4. Per contra, the learned counsel for the respondent would submit that on hearing dates alone she needs to travel and sought for dismissal of the Transfer Civil Miscellaneous Petition.



5. 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 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 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.”

6. On perusal of petition filed in H.M.O.P.No.13 of 2025, it appears that petitioner/husband is the resident of Sathyamangalam, Erode District and the respondent/wife is the resident of Chennai District.



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.13 of 2025 pending on the file of the Subordinate Court, Sathyamangalam is withdrawn and transferred to the file of the IV-Additional Family Court, Chennai. The IV-Additional Family Court, Chennai on receipt of the records to try and dispose of the matter in accordance with law at the earliest. No Costs. Consequently, connected Civil Miscellaneous Petition is closed.

11-03-2026

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

MAC

To

1. The Subordinate Court, Sathyamangalam
2. The IV-Additional Family Court, Chennai



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R.KALAIMATHI, J.

MAC

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