



Tr.C.M.P.No.1120 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2026

PRESENT:

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P. No.1120 of 2025

and

C.M.P.No.25274 of 2025

Mrs.Mugambigai
D/o.Ranjith Kumar
Door No.53/61, Thyagi Annamalai Nagar,
Tiruvannamalai Town and District – 606601.

... Petitioner

Vs.

V.Arunpandiyan,
S/o.Vanaraj,
No.33, Thalakayam,
Kaveripattu Village,
Natrampalli Taluk,
Tirupathur District.

... Respondent

PRAYER in Tr.C.M.P.:Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C.,to withdraw the case in H.M.O.P.No.146 of 2025 pending on the file of the Sub Court, Tirupathur and transfer it to the file of Sub Court, Tiruvannamalai and pass such further or other orders and thus render justice.

PRAYER in C.M.P. : Civil Miscellaneous Petition filed under Section 151 of the Code of Civil Procedure to stay all further proceedings in H.M.O.P.No.146 of 2025
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on the file of the Sub Court, Tiruppathur pending disposal of this petition and thus render justice.

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For Petitioner : Mr.S.Kumaradevan.

For respondent : Mr.B.Manibharathi for Mr.W.Chinnaraj.

ORDER

Heard.

2. The present Transfer Civil Miscellaneous Petition has been filed seeking withdrawal of H.M.O.P.No.146 of 2025 pending on the file of the Sub Court, Tiruppathur and for transfer of the same to the file of the Sub Court, Tiruvannamalai.

3. The case of the petitioner/wife, in brief, is that the marriage between the parties was solemnised on 01.06.2020 and thereafter matrimonial discord arose. The respondent/husband has filed H.M.O.P.No.146 of 2025 seeking dissolution of marriage before the Sub Court, Tiruppathur. The petitioner states that she is residing at Tiruvannamalai and is working as a Lecturer in a Nursing College near Tiruvannamalai and that the distance to Tiruppathur Court is stated to be about 85



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kms. It is further stated that the petitioner, being a lady and having employment constraints, she would suffer hardship if she is compelled to travel and attend each hearing at Tiruppathur. It is also stated that there will be no prejudice to the respondent if the matter is transferred to Tiruvannamalai.

4. In transfer petitions arising out of matrimonial proceedings, the consistent view is that the convenience of the wife is a relevant and weighty consideration, particularly when she pleads travel hardship, employment constraints and logistical difficulty in attending proceedings at a distant place. The object of Section 24 C.P.C. is to ensure that the proceedings are conducted in a manner that advances justice and avoids undue hardship.

5. In the case on hand, the petitioner has placed reasons showing difficulty in travelling from Tiruvannamalai to Tiruppathur for every hearing, especially in view of her employment. On the other hand, no specific prejudice is shown as to why the respondent cannot contest the matter at Tiruvannamalai. The balance of convenience, therefore, tilts in favour of the petitioner. Hence, the Transfer Civil Miscellaneous Petition deserves to be allowed.



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6. Accordingly, Tr.C.M.P. No.1120 of 2025 is allowed. H.M.O.P. No.146 of 2025 on the file of the Sub Court, Tiruppathur, is withdrawn and transferred to the file of the Sub Court, Tiruvannamalai. The Sub Court, Tiruppathur, shall transmit the entire records to the Sub Court, Tiruvannamalai, within three (3) weeks from the date of receipt of this order and the Sub Court, Tiruvannamalai shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. Consequently, the connected C.M.P. No.25274 of 2025 is closed. There shall be no order as to costs.

19.01.2026

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Index : Yes/No

NCC : Yes/No

Speaking Order / Non-Speaking Order

To

1.The Sub Court,
Tiruppathur.

2.The Sub Court,
Tiruvannamalai.

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DR. A.D. MARIA CLETE, J

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