



WEB COPY

Tr.CMP No.1351



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-01-2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

TR CMP No. 1351 of 2024

and

CMP No.29200 of 2024

Dhanalaksmi

...Petitioner(s)

Vs

Sundarraaj

...Respondent(s)

Prayer in Tr.CMP No.1351 of 2024:

Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, pleaded to withdraw the H.M.O.P. No. 118 of 2023 on the file of the Learned Principal Sub Court, Chengalpattu and transfer the same to the file of Learned Family Court, Pondicherry.

Prayer in CMP No.29200 of 2024: Petition filed under Section 151 of Code of Civil Procedure, pleaded to stay of all further proceedings in H.M.O.P. No. 118 of 2023 on the file of the Learned Principal Sub Court, Chengalpattu pending disposal of the above Transfer Civil Miscellaneous Petition.

For Petitioner(s) : Mr.C.Anbu

For Respondent(s) : No appearance



ORDER

1. Heard.
2. The present Transfer Civil Miscellaneous Petition is filed by the wife seeking withdrawal of H.M.O.P.No.118 of 2023 pending on the file of the learned Principal Sub Court, Chengalpattu and for transfer of the same to the file of the learned Family Court, Puducherry.
3. The case of the petitioner, in brief, is that the marriage between the parties was solemnized on 02.06.2004 and out of the wedlock, twin daughters were born and they are now pursuing their under-graduation at Puducherry. The petitioner states that she is residing at Puducherry with her daughters and aged parents and that she finds it difficult to attend the proceedings at Chengalpattu.
4. It is further stated that H.M.O.P.No.118 of 2023 has been filed by the respondent/husband at Chengalpattu and the matter was posted for counter on 09.01.2025. The petitioner would submit that the distance between Puducherry and Chengalpattu is about 105 kms and she has to travel about 210 kms for every hearing, which causes hardship, apart from her responsibility of taking care of her daughters and aged parents.
5. It is also stated that the petitioner apprehends threat at the hands of the respondent and his family members.
6. This Court had earlier ordered notice and granted interim stay on 19.12.2024



in C.M.P.No.29200 of 2024.

7. Considering the nature of the matrimonial proceedings, the convenience of the wife, the place where the petitioner is presently residing along with the children, and the hardship pleaded on account of travel for every hearing, this Court is of the view that ends of justice would be met by ordering transfer as prayed for.

8. Accordingly, Tr.C.M.P. No.1351 of 2024 is allowed. H.M.O.P. No.118 of 2023 on the file of the Principal Sub Court, Chengalpattu, is withdrawn and transferred to the file of the Family Court, Puducherry. The Principal Sub Court, Chengalpattu, shall transmit the entire records to the Family Court, Puducherry, within three (3) weeks from the date of receipt of this order and the Family Court, Puducherry shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. Interim stay granted by this Court on 19.12.2024 shall stand vacated and C.M.P. No.29200 of 2024 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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DR. A.D.MARIA CLETE

dsn

To

1. The Principal Sub Court, Chengalpattu.
2. The Family Court, Pondicherry.

TR CMP No. 1351 of 2024
and CMP No.29200 of 2024

20.01.2026