



Tr.C.M.P.No.1321 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.1321 of 2025

&

C.M.P. No.30280 of 2025

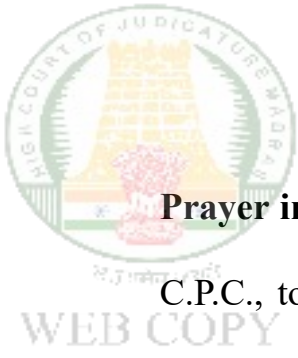
R.Jeevitha
W/o. Venkatprabu, D/o. Raja,
D.No.492-2,
Oonthapillaikadu, Kichampalaiyam Post,
Salem Taluk, Salem 636 015.

... Petitioner

-Versus-

S.Venkatprabhu Sivaprakasam
S/o. Sivaprakasam, D.No.3/40-B,
V.G.P. Nagar,
Dharmapuri Town and Taluk,
Dharmapuri Dt.
Currently residing at
D.No.34, Kumarapuri Colony,
Bharathipuram,
Dharmapuri Taluk, Dharmapuri 636 705.

... Respondent



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Prayer in Tr.C.M.P. No.1321 of 2025: Transfer Petition filed under Section 24 of C.P.C., to withdraw the case in FCHMOP No.168 of 2025 on the file of Family Court at Dharmapuri and transfer the same to Hon'ble Family Court, Salem and thus render justice.

Prayer in C.M.P. No. 30280 of 2025: Petition seeking to grant an interim stay of all the further proceedings in FCHMOP No.168 of 2025 on the file of Family Court at Dharmapuri, pending disposal of the Transfer C.M.P.

For Petitioner : Mr.C.Deepakumar, Advocate

For Respondent : Mr.V.Sakkarapani, Advocate

ORDER

1. Heard
2. Transfer petition is filed to withdraw the case in FCHMOP No.168 of 2025 on the file of the Family Court at Dharmapuri and transfer the same to the Family Court, Salem.
3. The petitioner is the wife. The respondent is the husband. The marriage between the parties was solemnized on 10.11.2019 at Dharmapuri as per Hindu rites and customs. A female child was born to the parties on 26.11.2020.



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4. It is the case of the petitioner that due to matrimonial discord, earlier proceedings in H.M.O.P. No.287 of 2024 (mutual consent) ended in dismissal on 17.05.2025, and thereafter the respondent has instituted F.C.H.M.O.P. No.168 of 2025 before the Family Court, Dharmapuri seeking divorce, which is presently at counter stage.

5. The petitioner states that she is now residing at Salem along with the minor child, and the distance to the Family Court, Dharmapuri is more than 100 kms, requiring considerable travel time and expense for each hearing. She also states that there is no proper bus facility from her place to the Family Court, Dharmapuri, and that she has no effective male assistance/escort, especially after the demise of her father.

6. The petition seeks transfer of the matrimonial proceedings from Dharmapuri to Salem on the ground of hardship and convenience of the wife who is having the custody of a minor child. In matrimonial transfer petitions, the convenience of the wife, particularly when she has to travel with a minor



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child, is a weighty consideration. Having regard to the facts pleaded, the distance involved, and the stated difficulty in attending the proceedings at Dharmapuri, this Court is satisfied that the ends of justice require transfer.

7. Accordingly, Tr.C.M.P. No.1321 of 2025 is allowed. F.C.H.M.O.P. No.168 of 2025 on the file of the Family Court, Dharmapuri, is withdrawn and transferred to the file of the Family Court, Salem. The Family Court, Dharmapuri, shall transmit the entire records to the Family Court, Salem, within three (3) weeks from the date of receipt of this order and the Family Court, Salem 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. 30280 of 2025 is closed. 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, Dharmapuri.
2. The Family Judge, Salem



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DR. A.D. MARIA CLETE, J

jv/mfa

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&
C.M.P. No.30280 of 2025**

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