



WEB COPY

TR CMP No. 1113 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-02-2026

CORAM

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

TR CMP No. 1113 of 2025

and

CMP No. 25116 of 2025

S.D.Indhumathi

..Petitioner

Vs

L. Gnanasiva

..Respondent

Prayer in TR CMP No. 1113 of 2025: Petition filed under section 24 of CPC to withdraw the HMOP No.315/2025 on the file of the Subordinate Court at Poonamallee and transfer the same to IV Additional Family Court at Chennai to try along with MC No.514 of 2025 and HMOP No.3906 of 2025 on the file of the IV Additional Family Court, Chennai.

Prayer in CMP No. 25116 of 2025: Petition to grant an order of interim stay of all further proceedings in HMOP No.315/2025 on the file of the Subordinate Court at Poonamallee pending disposal of the above TR CMP.

For Petitioner:

M/s.D.Kamatchi

M. Jheroshlin

For Respondent:

Mr.K.Prasath



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ORDER

Heard.

2. This Transfer Civil Miscellaneous Petition is filed by the petitioner-wife seeking to withdraw the HMOP No.315/2025 on the file of the Subordinate Court at Poonamallee and transfer the same to IV Additional Family Court at Chennai to try along with MC No.514 of 2025 and HMOP No.3906 of 2025.

3. The petitioner is the wife. The respondent is the husband. The marriage between the parties was solemnized on 03.09.2023 at Rani Marriage Hall, Vaithi Garden, Poonamallee, Chennai - 600056 as per Hindu Rites and Customs and out of the wedlock, a female child is born on 01.11.2024 and is in custody of the petitioner.

4. The respondent-husband had filed HMOP No. 315/2025 seeking divorce before the Subordinate Court, Poonamallee. Subsequently, the petitioner had also filed HMOP No. 3906/2025 on the file of the IV Additional Family Court, Chennai for divorce under the ground of Cruelty.



5. The case of the petitioner is that she is living in Virugambakkam, Chennai-92. The petitioner pleads difficulty in travelling from Virugambakkam to Poonamallee particularly she has to take care of the minor child. The petitioner had filed M.C.No.514/2025 and HMOP No. 3906/2025 before the Family Court, Chennai and the same are pending.

6. The learned counsel for the respondent vehemently objected to allow this transfer petition.

7. In matrimonial transfer petitions, the convenience of the wife, existence of child and the pendency of connected proceedings at the place where the wife resides, are relevant considerations. In the present case, the petitioner is stated to be residing at Virugambakkam, Chennai, having the custody of the minor child. The petitioner has also initiated maintenance and divorce proceedings before the Family Court, Chennai.

8. In view of the above circumstances, this Court is of the considered view that the ends of justice would be met by transferring the HMOP No.315/2025 on the file of the Subordinate Court at Poonamallee to the file of the IV Additional Family Court at Chennai.

9. Accordingly, Tr.C.M.P.No.1113 of 2025 is allowed. HMOP



No.315/2025 on the file of the Subordinate Court at Poonamallee is withdrawn and transferred to the file of IV Additional Family Court at Chennai. The Subordinate Court at Poonamallee shall transmit the entire records to the IV Additional Family Court at Chennai within three weeks from the date of receipt of copy of this order and the IV Additional Family Court, Chennai 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 16.10.2025 shall stand vacated and CMP NO. 25116 OF 2025 is closed. There shall be no order as to costs.

05-02-2026

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

SHL

To:

1. The Subordinate Court at Poonamallee.
 2. The IV Additional Family Court at Chennai
- 1.



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DR.A.D.MARIA CLETE J.

SHL

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