



WEB COPY



Tr.CMP.No.1163 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.CMP.No.1163 of 2025

and CMP.No.26178 of 2025

V. Vinothini

... Petitioner

Vs.

Mohan Prakash

... Respondent

Prayer in Tr.C.M.P.No.1163 of 2025: This Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code to withdraw the HMOP No.139 of 2016 pending on the file of the Subordinate Court, Theni and transfer the same to the Family Court, Chennai.

Prayer in C.M.P. No.26178 of 2025: This Civil Miscellaneous Petition filed under Section 151 of Civil Procedure Code to stay of all the proceedings in HMOP.No.139 of 2016 on the file of Subordinate Court, Theni till pending disposal of the TR.CMP.

For Petitioner : M/s.R.Sudha

For Respondent : M/s.Conscious Ilango.S



Tr.CMP.No.1163 of 2025

WEB COPY

ORDER

Heard.

2. This Transfer Civil Miscellaneous Petition has been filed by the petitioner/wife seeking withdrawal of H.M.O.P.No.139 of 2016 pending at Subordinate Court, Theni and transfer of the same to the Family Court, Chennai.

3. The petitioner states that she is presently residing and working at Chennai, and that the minor daughter is also studying at Chennai. She pleads that she is solely taking care of the child, her parents are senior citizens and unwell, and that she has no dependable assistance for travel and child-care.

4. The petitioner further pleads that attending the proceedings at Theni requires long-distance travel (about 510 kms) on every hearing, causing serious hardship, expense and practical difficulty, particularly when the child has to be left behind without adequate support.

5. On the other hand, the respondent is stated to be employed abroad (Netherlands) and the petitioner asserts that he has business visits and



Tr.CMP.No.1163 of 2025

accommodation at Chennai, thereby making his appearance at Chennai comparatively feasible.

6. In the present case, the pleaded circumstances (i) the petitioner and minor child being settled at Chennai, (ii) absence of dependable support for travel/child-care, and (iii) the substantial distance involved justify transfer.

7. Accordingly, Tr.C.M.P.No.1163 of 2025 is allowed. H.M.O.P.No.139 of 2016 pending at Subordinate Court, Theni is withdrawn and transferred to the file of the Family Court, Chennai, for disposal in accordance with law.

8. The Court at Theni shall transmit the entire records to the Family Court, Chennai forthwith. The Family Court, Chennai shall take up the matter on receipt of records and proceed in accordance with law. C.M.P.No.26178 of 2025 is closed. No order as to costs.

22.01.2026

Index : Yes/No
Speaking order : Yes/No
dpq



Tr.CMP.No.1163 of 2025

WEB COPY

To

1. The Subordinate Court,
Theni

2. The Family Court,
Chennai



WEB COPY



Tr.CMP.No.1163 of 2025

DR.A.D.MARIA CLETE. J,

dpq

Tr.CMP.No.1163 of 2025
and CMP.No.26178 of 2025

22.01.2026