



WEB COPY

Tr.CMP No.1194



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-01-2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

TR CMP No. 1194 of 2025

and

CMP No.27039 of 2025

Siva

...Petitioner(s)

Vs

Saranya

...Respondent(s)

Prayer in Tr.CMP No.1194 of 2025:

Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, pleaded to withdraw and transfer the HMOP No.1464 of 2025 from the file of the Principal Family Court, Coimbatore to the file of the Principal Subordinate Court, Tenkasi to try along with the HMOP No.329 of 2025.

(Prayed amended vide court order dated 21/01/2026 made in CMP No.28650 of 2025 in Tr.CMP No.1194 of 2025)

Prayer in CMP No.27039 of 2025: Petition filed under Section 151 of Code of Civil Procedure, pleaded to grant stay stay all further proceedings in HMOP No.1464 of 2025 on the file Principal Family Court of Coimbatore pending disposal Transfer Civil Miscellaneous Petition

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For Petitioner(s) : Mr.R.Prabakar

For Respondent(s) : No appearance



ORDER

1. Heard.

2. This Transfer Civil Miscellaneous Petition is filed by the husband seeking withdrawal of H.M.O.P. No.1464 of 2025 pending on the file of the Principal Family Court, Coimbatore and to transfer the same to Principal Subordinate Court, Tenkasi, to try along with the HMOP No.329 of 2025.

3. The petitioner states that the marriage between the parties was solemnized on 12.11.2014 and two daughters were born to them. He would contend that the children are under his care and are studying in his native place and that he would be put to hardship if he is compelled to attend the Family Court at Coimbatore.

4. It is seen from the pleadings that the main matrimonial proceeding, namely H.M.O.P. No.1464 of 2025, is pending before the Principal Family Court, Coimbatore, a Special Court constituted for adjudication of family disputes. The wife has instituted the said H.M.O.P. at Coimbatore asserting residence and jurisdiction at Coimbatore and that the parties lastly lived together at Coimbatore.

5. The power under Section 24 C.P.C. is discretionary and has to be exercised only when the ends of justice demand transfer. Mere inconvenience of one party cannot be the sole ground, especially when the proceeding is already pending before a competent Family Court, which is specially constituted and



equipped to deal with matrimonial disputes.

6. In the case on hand, except stating travel difficulty and the petitioner's alleged responsibility of the children, no compelling or exceptional circumstance is made out warranting withdrawal of the proceedings from the Principal Family Court, Coimbatore. The petitioner, in his own affidavit, also seeks transfer to the Principal Subordinate Judge, Tenkasi on the premise that personal appearance may not be required there. Such a reason, in the facts of the present case, cannot be accepted to shift a matrimonial dispute away from the Special Court constituted for that very purpose, particularly when the wife is stated to be residing at Coimbatore and the divorce proceeding is pending there.

7. This Court is, therefore, of the view that the petitioner has not made out sufficient grounds for transfer.

8. Accordingly, Tr.C.M.P. No.1194 of 2025 is dismissed. Consequently, the connected C.M.P. No.27039 of 2025 is closed. Any interim stay granted by this Court, if in force, shall stand vacated. There shall be no order as to costs.

21.01.2026
(2/2)

Index:Yes/No
Neutral Citation:Yes/No
Internet:Yes
dsn



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Tr.CMP No.1194



DR. A.D.MARIA CLETE

dsn

To

1. The Principal Family Court, Coimbatore.
2. The Principal Subordinate Court, Tenkasi.

TR CMP No. 1194 of 2025
and CMP No.27039 of 2025

21.01.2026
(2/2)