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Tr.CMP No.1361 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.CMP.No.1361 of 2025

and

CMP.No.31766 of 2025

B.Sangeetha

...Petitioner

Vs

R.Arun

...Respondent

Prayer in Tr.CMP.No.1361 of 2025: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, pleased to withdraw the HMOP.No.1551 of 2025 filed before the Family Court at Padmanabapuram, Kanyakumari District, and transfer the same to the Hon'ble Sub Court, Tambaram.

Prayer in CMP No.31766 of 2025: Petition filed under Section 151 of Civil Procedure Code, pleased to stay of all further proceedings of HMOP.No.1551 of 2025 filed before the Family Court at Padmanabapuram, Kanyakumari District pending disposal of the above Transfer Civil Miscellaneous Petition.

For Petitioner : Mr.V.Rajasekar

For Respondent : Ms.Senkodi



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ORDER

Heard.

2. This Transfer Civil Miscellaneous Petition is filed by the petitioner/ wife under Section 24 of the Code of Civil Procedure, to withdraw H.M.O.P.No.1551 of 2025 pending on the file of the Family Court, Padmanabapuram, Kanyakumari District, and to transfer the same to the file of the Sub Court, Tambaram.

3. The case of the petitioner is that the marriage between the parties was solemnized on 27.10.2023 and thereafter disputes arose. The respondent/husband has filed H.M.O.P.No.1551 of 2025 before the Family Court, Padmanabapuram, seeking divorce and the matter was stated to be posted for the petitioner's appearance. The petitioner/wife would submit that she is residing at Tambaram and she has no independent source of income; that travelling to Padmanabapuram/Kanyakumari District (stated to be more than 700 kilometres) for each hearing would cause severe hardship, financially as well as physically; and that the respondent is employed and is stated to be



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residing/working around Sriperumbudur, and therefore he can attend the proceedings at Tambaram without comparable difficulty.

4. In matrimonial proceedings, the convenience of the wife, particularly when she pleads lack of independent income and difficulty in undertaking long-distance travel, ordinarily deserves due weight. In the case on hand, the petitioner has shown that she is residing within the territorial limits of Tambaram and would be put to serious hardship if compelled to travel to Padmanabapuram for every hearing, whereas the respondent, being employed, can reasonably contest the proceedings at Tambaram. No prejudice of such magnitude is shown to outweigh the hardship pleaded by the petitioner. Hence, this Court is inclined to allow the Transfer Civil Miscellaneous Petition.

5. Accordingly, Tr.C.M.P.No.1361 of 2025 is allowed. H.M.O.P.No.1551 of 2025 on the file of the Family Court, Padmanabapuram, Kanyakumari District, is withdrawn and transferred to the file of the Sub Court, Tambaram. The Family Court, Padmanabapuram, Kanyakumari District, shall transmit the entire records to the Sub Court, Tambaram, within three (3) weeks from the date



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of receipt of this order and the Sub Court, Tambaram, shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order and C.M.P.No.31766 of 2025 is closed. There shall be no order as to costs.

09.01.2026

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



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To

- 1.The Family Court, Padmanabapuram,
Kanyakumari District.
2. The Sub Court, Tambaram.



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DR. A.D.MARIA CLETE, J

dpq

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and CMP No.31766 of 2025**

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