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TR CMP No. 1232 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2026

CORAM

THE HON'BLE MRS.JUSTICE R. KALAIMATHI

TR CMP No.1232 of 2025
and CMP No.27950 of 2025

S.Vinitha
D/o .Selvakumar

..Petitioner(s)

Vs

S.Arunkumar
S/o .Saravanan

..Respondent(s)

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C. seeking to withdraw the HMOP.No.92 of 2024 from the file of the Subordinate Judge, Ambattur and transfer the same to the file of the Family Court, Puducherry.

For Petitioner(s): Mr.K.Sasindran

For Respondent(s): Ms.P.Mahalakshmi

ORDER

Heard learned counsel for the petitioner (wife) and learned counsel for the respondent (husband).

2.The respondent (wife) in H.M.O.P.No.92 of 2024 on the file of Sub Court, Ambattur, is the petitioner herein.

3.The petitioner (wife) has raised the following grounds for transfer the aforesaid HMOP from the file of Sub Court, Ambattur to



the file of Family Court, Puducherry:

(i) She has been staying in her parents' house at Puducherry;

(ii) She finds it difficult to travel along with her aged father from Puducherry to Ambattur, Chennai, for more than 160 kms. for attending each hearing at the Family Court, Ambattur; and

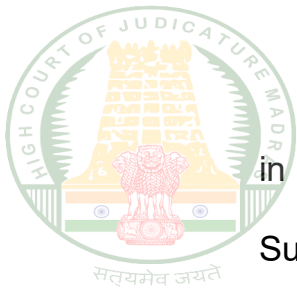
(iii) Her parents are spending huge amount for the travelling and other expenses which they cannot afford.

4.Learned counsel for the petitioner would reiterate the grounds set out in the Transfer CMP and seeks to transfer the aforesaid HMOP from the file of Sub Court, Ambattur to Family Court, Puducherry.

5.Learned counsel for the respondent (husband) would contend that if the HMOP is transferred to the file of Family Court, Puducherry, the respondent (husband) would be put to hardship and inconvenience.

6.The learned counsel for the petitioner (wife) would state that at present the respondent (husband) is working in Hyderabad.

7.The principles regarding transfer petitions, more specifically



in the matters of matrimonial cases are well settled by the Hon'ble Supreme Court in the following cases:-

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“i. In AIR 2000 SC 3512 (1) (Mona Aresh Goel vs. Aresh Satya Goel), when the wife pleaded that she was unable to bear the travelling expenses and even to travel alone and stay at Bombay, the Supreme Court ordered transfer of proceedings.

ii. In 2000 (10) SCC 304 (Geeta Heera Vs. Harish Chander Heera), the Hon'ble Supreme Court has held that where the petitioner's wife has pleaded lack of money, the same has to be considered.

iii. In Lalita A. Ranga Vs. Ajay Champalal Ranga reported in (2009) 9 SCC 355 , wherein the wife, who was having small child and she was finding it difficult to travel from Jaipur to Bombay, and the Hon'ble Apex Court accepting her request ordered the transfer petition in favour of the wife transferring the transfer petition from Family Court at Bandra in Mumbai to the Family Court at Jaipur.”

8. In consideration of the above said details, the request of the petitioner herein / wife appears to be based on justifiable cause and accordingly, this Transfer Civil Miscellaneous Petition is ordered. Sequel to this, H.M.O.P.No.92 of 2024 pending on the file of the Sub



R.KALAIMATHI, J.

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Court, Ambattur, Chennai, is withdrawn and transferred to the file of the Family Court at Puducherry. The learned Judge of Family Court, Puducherry, on receipt of the records, to try and dispose of the matter in accordance with law at the earliest. No Costs. Consequently, connected Civil Miscellaneous Petition is closed.

24-04-2026

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

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To.

1.The Sub Court
Ambattur

2.The Family Court
Puducherry

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