



WEB COPY

TR CMP No. 1204 of 2
and CMP.No.27417 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

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

TR CMP No. 1204 of 2025

and

CMP.NO.27417 of 2025

Priya Santhanam Telikicherla

..Petitioner(s)

Vs

T.Venkata Nehru Kumar

..Respondent(s)

Prayer: This Transfer Civil Miscellaneous Petition is filed seeking to withdraw the H.M.O.P.No.5068/2023, pending on the file of V Additional Family Court, Chennai and transfer the same to Sub Court, Ambattur.

For Petitioner(s): Mr.B.Jawahar

For Respondent(s): M/s.B.Rajkumar

ORDER

Heard.

2. The present Transfer Civil Miscellaneous Petition has been filed by the wife seeking transfer of H.M.O.P. No.5068 of 2023, pending on the file of the V Additional Family Court, Chennai and transfer the same to Sub Court, Ambattur.



3. The marriage between the petitioner and the respondent was solemnized on 18.11.2005 according to Hindu rites and customs and out the wedlock they are blessed with two female children aged about 19 years and 13 years. The respondent/husband has instituted the above H.M.O.P.No.5068 of 2023 seeking divorce.

4. The case of the petitioner is that after marriage, due to matrimonial discord, she was allegedly driven out of the matrimonial home and now she is residing separately at Chennai. It is further stated that she has to take care of her two girl children and cannot undertake repeated travel with them.

5. The petitioner has specifically pleaded that the petitioner has no independent source of income and cannot afford the recurring travel. It is further stated that travelling from Ambattur to Chennai for every hearing causes extreme physical and mental hardship.

6. The learned counsel for the respondent opposed the transfer contending that it is filed only to protract the proceedings. It is further stated respondent is residing at Hyderabad and cannot frequently travel to the transferee Court.



7. It is a well-settled proposition of law that in matrimonial proceedings, convenience of the wife deserves paramount consideration, particularly when she is residing at a different place and cannot undertake repeated travel with the children. The Hon'ble Supreme Court and this Court have consistently held that such transfers are warranted to ensure effective access to justice and to avoid undue hardship to the wife.

8. In the present case, considering the residence of the petitioner at Ambattur, and the fact that the proceedings are in the stage of recording the respondent's side evidence, this Court is of the considered view that no serious prejudice would be caused to the respondent if the matter is transferred. On the other hand, refusal to transfer would result in grave hardship to the petitioner. Therefore, this Court finds sufficient cause to allow the Transfer Civil Miscellaneous Petition.

9. Accordingly, Tr.C.M.P. No.1204 of 2025 is allowed. H.M.O.P. No.5068 of 2023 on the file of the V Additional Family Court, Chennai, is withdrawn and transferred to the file of the Sub Court, Ambattur. The V Additional Family Court, Chennai, shall transmit the entire records to the Sub Court, Ambattur, within a period of three (3) weeks from the date of receipt of a copy of this order and the Sub Court, Ambattur, shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any



observations made in this order. Consequently, C.M.P. No.20631 of 2024 is closed. There shall be no order as to costs.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

JAI/dna

To

1. The V Additional Family Court, Chennai.
2. The Sub Court, Ambattur.



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DR.A.D.MARIA CLETE, J.

JAI/dna

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