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TR CMP No. 1231 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-02-2026

CORAM

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

TR CMP No. 1231 of 2025

and

CMP No. 27930 of 2025

Sivaranjani

..Petitioner

Vs

Karthik

..Respondent

Prayer in TR CMP No. 1231 of 2025: Petition filed under section 24 of CPC to pass an order to withdraw the HMOP No.125 of 2025 on the file of the Sub Court at Pattukottai and transfer the same to Family Court at Chennai.

Prayer in CMP No. 27930 of 2025: Petition to grant stay of all further proceedings in HMOP No.125 of 2025 on the file of Sub Court at Pattukottai pending disposal off the above Transfer Petition.

For Petitioner:

E.Viswanathan

For Respondent:

No appearance



Order

Heard.

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2. This Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure to withdraw H.M.O.P. No.125 of 2025 pending on the file of the Sub Court, Pattukottai and to transfer the same to the file of the Family Court, Chennai.

3. The marriage between the parties was solemnized on 16.11.2023 and there is no child born out of the wedlock. The petitioner states that after marital discord, she is residing with her parents at Velacherry, Chennai, she has no independent income and is dependent on her parents. She further states that the respondent/husband has filed the divorce petition in H.M.O.P. No.125 of 2025 before the Sub Court, Pattukottai and it is extremely difficult for her to travel about 350 kilometers from Chennai to Pattukottai for every hearing, particularly when she cannot travel alone and the travel expenditure would cause hardship.

4. In transfer petitions arising out of matrimonial proceedings, the convenience of the wife and the hardship likely to be faced by her in attending the proceedings are relevant considerations. The petitioner is residing at Chennai and has pleaded lack of independent income, dependence on parents, and difficulty in undertaking long-distance travel to Pattukottai on all hearing dates.



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5. On the other hand, no serious prejudice would be caused to the respondent if the matrimonial original petition is tried at Chennai. Considering the petitioner's submission, this Court is inclined to allow the transfer sought for.

6. Accordingly, Tr.C.M.P. No.1231 of 2025 is allowed. H.M.O.P. No.125 of 2025 on the file of the Sub Court, Pattukottai, is withdrawn and transferred to the file of the Family Court, Chennai. The Sub Court, Pattukottai, shall transmit the entire records to the Family Court, Chennai, within three (3) weeks from the date of receipt of this order and the Family Court, Chennai shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. Interim stay granted by this Court on 14.11.2025 shall stand vacated and C.M.P. No.27930 of 2025 is closed. There shall be no order as to costs.

05-02-2026

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

SHL

To

1. The Sub Court at Pattukottai
2. The Family Court at Chennai



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DR.A.D.MARIA CLETE J.

SHL

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AND
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