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Tr.CMP No.1310 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-01-2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

TR CMP No. 1310 of 2025

and

CMP No.29886 of 2025

Raja

...Petitioner(s)

Vs

Bhavani

...Respondent(s)

Prayer in Tr.CMP No.1310 of 2025:

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, pleaded to withdraw the D.V.C. No. 49 of 2024 pending on the file of the Additional Mahila Judge at Thiruvallur and transfer the same to the file of the Judicial Magistrate Court at Vandavasi.

Prayer in CMP No.29886 of 2025: Petition filed under Section 151 of Civil Procedure Code, pleaded to Stay all further proceedings in the D.V.C. No. 49 of 2024 pending on the file of the Additional Mahila Judge at Thiruvallur Pending disposal of the above Transfer Civil Miscellaneous Petition.

For Petitioner(s) : Mr.T. Saikrishnan
For Respondent(s) : Mr.R.Ganesh Kumar



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ORDER

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1. Heard.
2. The petitioner / husband seeks transfer of the proceedings in D.V.C. No.49 of 2024 from the file of the Additional Mahila Court, Thiruvallur to the file of the Judicial Magistrate Court, Vandavasi.
3. The petitioner states that the marriage between the parties was solemnised on 24.08.2020, and that the respondent has been living separately since 2021. The petitioner also refers to the pendency of H.M.O.P. No.95 of 2023 on the file of the Sub Court, Vandavasi and claims that the respondent has not been appearing therein.
4. The petitioner pleads hardship in attending the proceedings at Thiruvallur by stating that the Courts at Thiruvallur are about 120 kms away from his residence at Vandavasi. He further alleges financial difficulty and inconvenience.
5. This Court has considered the material placed. The respondent/complainant's address indicates that she is residing within Thiruvallur District. Transfer of the D.V.C. from Thiruvallur to Vandavasi would therefore shift the jurisdiction away from the



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respondent/complainant, while in law, jurisdiction is attracted by the place of residence of the aggrieved women in cases of domestic violence.

6. Further, the case status extract produced in the typed set shows that D.V.C. No.49 of 2024 is at the stage of Evidence and the next hearing is posted on 08.12.2025. At such stage, transfer would have the effect of delaying the proceedings, which is not warranted unless a strong and compelling case is made out.
7. The reasons put forth by the petitioner distance and personal inconvenience by themselves, do not constitute sufficient grounds to exercise the discretionary power under Section 24 of C.P.C., particularly when the respondent resides within the territorial limits of the Court where the D.V.C. is pending and when the matter is already at the evidence stage. For the above reasons, the transfer sought is declined.
8. Accordingly, Tr.C.M.P. No.1310 of 2025 is dismissed. Consequently, C.M.P. No.29886 of 2025 is closed. There shall be no order as to costs.

08.01.2026

Index: Yes/No
Neutral Citation: Yes/No
Internet: Yes
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DR. A.D.MARIA CLETE

dsn

To

1. The Additional Mahila Judge, Thiruvallur.
2. The Judicial Magistrate Court, Vandavasi.

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and CMP No.29886 of 2025

08.01.2026
(1/2)