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TR CMP No. 1296 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HON'BLE MRS.JUSTICE R. KALAIMATHI

TR CMP No. 1296 of 2025

and

C.M.P.No.29665 of 2025

J.Seraphine
W/o. Christhuraj,
No.63, Karpaga Vinayagar Nagar,
near New Immaculate Womens College,
Chinnakanganankuppam,
Cuddalore Taluk.

..Petitioner(s)

Vs.

Christuraj
S/o. Soosai,
Sathipattu,
Panrutti Taluk,
Cuddalore District.

..Respondent(s)

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, 1908, to withdraw and transfer proceedings in IDOP.No.298 of 2025 pending on the file of the Principal Family Court, Chengalpattu to the file of the Family Court at Cuddalore pending disposal of the above Tr.C.M.P.

For Petitioner(s):

Mr.T.S.Baskaran

For Respondent(s):

Mr.Ashokapathy
for M/s.Pass Associates



ORDER

Heard the learned counsel for the petitioner and the learned counsel for the respondent.

2. The petitioner who is the respondent / wife in I.D.O.P.No.298 of 2025 on the file of Principal Family Court, Chengalpattu has filed this Transfer Civil Miscellaneous Petition seeking to transfer the said I.D.O.P., to the Family Court at Cuddalore by stating that she is not in a position to travel to Chengalpattu.

3. Reiterating the said contention, the learned counsel for the petitioner would further add that she is living in her parents' home along with her one-year-old child at Cuddalore and she finds it difficult to travel from Cuddalore to Chengalpattu for all the hearing dates.

4. Per contra, the learned counsel for the respondent does not have any serious objection in ordering the Transfer Civil Miscellaneous Petition.

5. 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:-



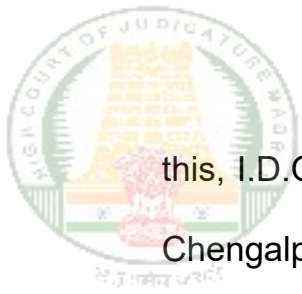
“i. In AIR 2000 SC 3512 (1) (Mona Aresh Goel vs. Aresh Satya Goel), when the wife pleaded that she was unable to bear the traveling expenses and even to travel alone and stay at Bombay, the Supreme Court ordered transfer of proceedings.

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 Ranja 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.”

6. On perusal of petition filed in I.D.O.P.No.298 of 2025, it appears that petitioner/husband is the resident of Chengalpattu District (Tamil Nadu Housing Board, Sengundram Village, Chengalpattu Taluk) and the respondent/wife is the resident of Cuddalore District (Chinnakanganankuppam).

7. 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 allowed. Sequel to



this, I.D.O.P.No.298 of 2025 pending on the file of the Principal Family Court, Chengalpattu is withdrawn and transferred to the file of the Family Court at Cuddalore. The Family Court, Cuddalore 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.

11-03-2026

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

MAC



TR CMP No. 1296 of 20



To

1. The Principal Family Court, Chengalpattu

2. The Family Court, Cuddalore

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R.KALAIMATHI, J.

MAC

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