



WEB COPY

Tr.CMP No.1302



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-01-2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

TR CMP No. 1302 of 2025

and

CMP No.29715 of 2025

J.Sharmila

...Petitioner(s)

Vs

K.Anbazhagan

...Respondent(s)

Prayer in Tr.CMP No.1302 of 2025:

Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, pleased to transfer H.M.O.P. No. 1204 of 2024 from the file of the Additional Principal Family Court at Coimbatore to the file of the Family Court at Tiruppur.

Prayer in CMP No.29715 of 2025: Petition filed under Section 151 of Code of Civil Procedure, pleased to stay all further proceedings of the case in H.M.O.P. No. 1204 of 2024 pending before the Learned Additional Principal Family Court at Coimbatore till the disposal of this Transfer Miscellaneous Petition.

For Petitioner(s) : Mr.R.C.Paul Kanagaraj

For Respondent(s) : No appearance



ORDER

Heard

2. This Transfer Civil Miscellaneous Petition has been filed by the petitioner/wife seeking withdrawal of H.M.O.P. No.1204 of 2024 pending on the file of the Additional Principal Family Court, Coimbatore and to transfer the same to the file of the Family Court, Tiruppur, for disposal in accordance with law.
3. The case of the petitioner, in brief, is that the marriage between the petitioner and the respondent was solemnised on 25.01.2021, and out of the wedlock, a male child was born, who is now aged about three years. The petitioner submit that owing to matrimonial discord, she is presently residing at Tiruppur along with the minor child.
4. It is stated that the respondent/husband has filed H.M.O.P. No.1204 of 2024 before the Additional Principal Family Court, Coimbatore seeking dissolution of marriage on the ground of cruelty. The petitioner submit that the said H.M.O.P. is now pending at the stage of mediation and the next hearing date is shown as 26.12.2025.
5. The grievance of the petitioner is that she has no independent source of income and she is dependent on her father for meeting even the basic requirements. She further submits that she has no assistance at Coimbatore



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and that she has to take care of the minor child. The petitioner states that the distance between Tiruppur and Coimbatore is about 55 kilometres, and it is extremely difficult for her to travel for every hearing, which would involve expenses, loss of time and hardship. Therefore, she seeks transfer of the H.M.O.P. from Coimbatore to Tiruppur.

6. Heard the learned counsel for the petitioner and perused the materials placed on record.
7. In petitions seeking transfer of matrimonial proceedings, the paramount consideration is to ensure a fair opportunity to contest, and to avoid undue hardship. More particularly, when the wife has the responsibility of taking care of a minor child and pleads difficulty in travelling, the Court ordinarily leans in favour of transfer, unless strong reasons are shown to deny the same.
8. In the case on hand, the petitioner has stated that she is residing at Tiruppur with the three-year-old child and that she has no independent income. She has further stated that the distance between Tiruppur and Coimbatore is about 55 kilometres and that she would be put to hardship in travelling for each hearing, particularly when she has to attend Court along with the child or make arrangements for childcare.
9. Considering the above circumstances, this Court is of the view that the petitioner has made out a case for transfer. This Court does not find any



serious prejudice that would be caused to the respondent if the matter is tried by the Family Court, Tiruppur, whereas the petitioner would be put to considerable hardship if she is compelled to contest the proceedings at Coimbatore.

10. Accordingly, Tr.C.M.P. No.1302 of 2025 is allowed. H.M.O.P. No.1204 of 2024 on the file of the Additional Principal Family Court, Coimbatore, is withdrawn and transferred to the file of the Family Court, Tiruppur. The Additional Principal Family Court, Coimbatore, shall transmit the entire records to the Family Court, Tiruppur, within three (3) weeks from the date of receipt of this order and the Family Court, Tiruppur 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.29715 of 2025 is closed. There shall be no order as to costs.

19.01.2026

Index:Yes/No
Neutral Citation:Yes/No
Internet:Yes
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To

1. The Additional Principal Family Court, Coimbatore.
2. The Family Court, Tiruppur.



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DR. A.D.MARIA CLETE

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