



WEB COPY



Tr.C.M.P.No.1333 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2026

PRESENT:

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P. No.1333 of 2025

and

C.M.P.No.30793 of 2025

Swetha.P

... Petitioner

Vs.

Ganesa Moorthy.J

... Respondent

Prayer in Tr.C.M.P. No.1333 of 2025: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure to withdraw O.P. No.21 of 2022 on the file of the Subordinate Judge, Sathyamangalam and transfer the same to the VI Additional Family Court, Chennai.

Prayer in C.M.P. No.30793 of 2025: Petition filed to grant interim stay of all further proceedings in O.P. No.21 of 2022 on the file of the VIth Additional Family Court, Chennai pending disposal of the Transfer Civil Miscellaneous Petition.

For Petitioner : Mr.R.Thirumoorthy

For Respondent : Mr.B.Kumarasamy



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ORDER

Heard.

2. The petitioner is the wife and the respondent is the husband. The respondent has filed O.P. No.21 of 2022 before the Subordinate Judge, Sathyamangalam. The present Transfer Civil Miscellaneous Petition has been filed to transfer the O.P.No.21 of 2022 from Subordinate Judge, Sathyamangalam to VI Additional Family Court, Chennai.

3. The case of the petitioner, is that the marriage between the parties solemnized on 14.09.2020 at Chennai and they have a minor child aged about 3 years. The petitioner states that she is residing at Chennai along with her medically treated mother, that she has no independent income, and that it is extremely difficult for her to travel repeatedly to Sathyamangalam with the minor child and her mother. It is also stated that the distance involved makes each hearing onerous and that the proceedings have been initiated at Sathyamangalam only for the convenience of the respondent.



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4. The respondent counsel submits that the respondent has been diagnosed with lumbar disc disease, so that he cannot travel long distance.

5. In transfer petitions arising out of matrimonial proceedings, the consistent judicial approach is that the convenience of the wife, particularly when she has the responsibility of a young child, deserves primacy, unless strong reasons exist to the contrary. The petitioner's difficulty in undertaking repeated long-distance travel, coupled with the responsibility of caring for the minor child and her mother, is a relevant and weighty consideration.

6. The balance of convenience, therefore, leans in favour of the petitioner, and the ends of justice would be served by transferring the proceedings to the Court at Chennai. In view of the above, the Transfer Civil Miscellaneous Petition deserves to be allowed.

7. Accordingly, Tr.C.M.P. No.1333 of 2025 is allowed. O.P. No.21 of 2022, on the file of the Subordinate Judge, Sathyamangalam, is withdrawn and transferred to the file of the VI Additional Family Court, Chennai. The Subordinate Judge, Sathyamangalam, shall transmit the entire records to the VI Additional



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Family Court, Chennai, within three (3) weeks from the date of receipt of this order and the VI Additional Family Court, Chennai, shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. Connected C.M.P. No.30793 of 2025 is closed. There shall be no order as to costs.

05.01.2026

dpq

Index : Yes/No

NCC : Yes/No

Speaking Order / Non-Speaking Order

To

1. The Subordinate Judge
Sathyamangalam

2. The VI Family Court,
Chennai.



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DR. A.D. MARIA CLETE, J.

dpq

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and

C.M.P.No.30793 of 2025

Dated: 05.01.2026