



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

TR.C.M.P.No.1292 of 2025

and

C.M.P.No.29575 of 2025

Chitra,
W/o.Pandian,
D/o.Sonaiyan,
No.16B, L.M.Nagar,
Rengadas Colony 1st Street,
Villivakkam, Chennai – 600049.

...Petitioner

Vs.

Pandian,
M/A 57 years,
F/o.Muniyandi,
Thanthani Village, Kannagudi Post,
Devakottai Taluk, Sivagangai District.

...Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to pass orders to withdraw the H.M.O.P. No. 103 of 2025 pending on the file of the Sub Judge, Devakottai and transfer the same to the Family Court at Chennai and pass such further or other order as this Court may deem fit and proper to the facts and circumstances of the case and thus render justice.

Prayer in C.M.P.: Petition filed under Section 151 of Civil Procedure Code, pleaded to pass an order of interim stay of the proceedings in H.M.O.P.No.103 of 2025 pending on the file of the Sub Judge, Devakottai, pending disposal of the Transfer petition and thus render justice.



For Petitioner : Mr.D.Chandrakumar.

For Respondent : No appearance.

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ORDER

Heard.

2. This Transfer Civil Miscellaneous Petition is filed by the wife seeking transfer of H.M.O.P. No.103 of 2025 pending on the file of the Sub Judge, Devakottai to the file of the Family Court, Chennai.

3. The case of the petitioner is that the marriage between the petitioner and the respondent was solemnised on 10.09.1999 and thereafter differences arose; according to the petitioner, she has been living separately with their children and taking care of the children. The petitioner pleads that she is presently residing in Chennai and do not have independent source of income and it is extremely difficult to travel for more than 435 kms to attend the Sub Court, Devakottai.

4. This Court, while considering transfer under Section 24 of C.P.C., is required to weigh the ends of justice and the comparative convenience of parties. In matrimonial proceedings, the convenience of the wife is a relevant consideration, particularly when she pleads financial hardship and difficulty in travelling to the Court where proceedings are instituted.



5. Accordingly, Tr.C.M.P.No.1292 of 2025 is disposed of.

H.M.O.P. No.103 of 2025 on the file of the Sub Court, Devakottai is withdrawn and transferred to the file of the Family Court, Chennai. The Sub Court, Devakottai shall transmit the entire records to the Family Court, Chennai, within a period of 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 28.11.2025 shall stand vacated and C.M.P. No.29575 of 2025 is closed. There shall be no order as to costs.

17.02.2026

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Index:Yes/No

Neutral Citation:Yes/No

Internet:Yes

To

1.The Family Court,
Chennai.

2.The Sub Court,
Devakottai.



WEB COPY

Tr.CMP No.1.



DR. A.D.MARIA CLETE

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and
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