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Tr.C.M.P.No.1342 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P.No.1342 of 2025

and

C.M.P.No.31087 of 2025

R.Nivetha

... Petitioner

Versus

M.Dakshan Kumar

... Respondent

Prayer in Tr.C.M.P.No.1342 of 2025: Petition filed under Section 24 of C.P.C., to withdraw and transfer H.M.O.P.No.437 of 2025 from the file of the learned Subordinate Court, Ambattur, to the file of the competent Family Court, Coimbatore.

Prayer in C.M.P.No.31087 of 2025: Petition filed under Section 151 of C.P.C., to stay the proceedings in H.M.O.P.No.437 of 2025 on the file of the learned Subordinate Court, Ambattur, pending disposal of the Transfer Civil Miscellaneous Petition.

For Petitioner : Mr.C.Deepak Kumar

For Respondent : Mr.M.Alosiyus Prakash Raja



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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.437 of 2025, instituted by the respondent/husband before the Subordinate Court, Ambattur, to the competent Family Court at Coimbatore.

3. The marriage between the petitioner and the respondent was solemnized on 25.10.2023 at Swathi Palace, Door No.1267, TNHB, Korattur, East Avenue Road, Korattur, Chennai – 600080, as per Hindu rites and customs, and the same was also stated to have been duly registered. The petitioner states that she is presently residing at Coimbatore (since the third week of August 2025) and that D.V.C.No.245 of 2025 is pending at Coimbatore; hence, she seeks transfer for effective and convenient adjudication.

4. It is further stated that the petitioner has only a modest income and that it is difficult for her to travel from Coimbatore to Chennai/Ambattur for every hearing, apart from safety and accommodation concerns; whereas, the



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respondent is employed at Chennai and is stated to be drawing a monthly salary of approximately Rs.1,00,000/-. It is also stated that the present stage in H.M.O.P.No.437 of 2025 is for filing counter.

5. In matrimonial transfer petitions, the Court is to consider the ends of justice and balance of convenience. Having regard to (i) the petitioner's place of residence at Coimbatore, (ii) the pendency of connected proceedings at Coimbatore, and (iii) the stated hardship in travelling for each hearing, this Court is of the view that the request for transfer deserves acceptance. No serious prejudice would be caused to the respondent, if the matter is tried at Coimbatore.

6. Accordingly, Tr.C.M.P.No.1342 of 2025 is allowed. H.M.O.P.No.437 of 2025 on the file of the Subordinate Court, Ambattur, is withdrawn and transferred to the file of the Family Court, Coimbatore. The Subordinate Court, Ambattur, shall transmit the entire records to the Family Court, Coimbatore, within three (3) weeks from the date of receipt of this order and the Family Court, Coimbatore shall dispose of the matter in accordance with law, as expeditiously as possible,



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DR. A.D. MARIA CLETE, J

uninfluenced by any observations made in this order and C.M.P.No.31087 of 2025 is closed. There shall be no order as to costs.

07.01.2026

cda

Index: Yes / No

Speaking Order / Non-speaking Order

To

1.The Subordinate Court, Ambattur.

2.The Family Court, Coimbatore.

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and
C.M.P.No.31087 of 2025**