



WEB COPY



Tr.C.M.P.No.1340 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P.No.1340 of 2025

and

CMP No.31070 of 2025

A.Pushpavalli

... Petitioner

Vs

R.Raja

... Respondent

PRAYER in Tr.C.M.P:

This Transfer Miscellaneous Petition is filed under Section 24 C.P.C., to withdraw HMOP No.64 of 2025 on the file of the Subordinate Court at Tiruttani and transfer the same to the file of Family Court, Chennai or any other Court nearer to the place of petitioner's residence for further hearings.

PRAYER in C.M.P:

To stay all further proceedings in HMOP No.64 of 2025 on the file of the Subordinate Court at Tiruttani, pending disposal of the above Tr.C.M.P.

For Petitioner : Mr.R.Vijaya Kumar

For Respondent :Mr.G.Somasekar



Tr.C.M.P.No.1340 of 2025

ORDER

Heard

2. This Transfer Civil Miscellaneous Petition is filed by wife under Section 24 of the Code of Civil Procedure, to withdraw H.M.O.P. No.64 of 2025 pending on the file of the Subordinate Court, Tiruttani, and to transfer the same to the file of the Family Court, Chennai for disposal.
3. The marriage between the parties is stated to have been solemnised on 02.09.2019 at Arulmighu Subramanya Swamy Temple, Tiruttani, and out of the wedlock, a female child (R. Varshini) was born on 07.10.2020, who is now in the care and custody of the petitioner.
4. The respondent/husband has filed H.M.O.P. No.64 of 2025 before the Subordinate Court, Tiruttani. The petitioner seeks transfer contending that she is presently residing at Chennai, that she has no independent income, and that the distance between Chennai and Tiruttani is about 200 kms,



making it extremely difficult to travel for each hearing, especially with the minor child. She also expresses an apprehension of threat/intimidation if she is compelled to attend the Court at Tiruttani.

5. It is well settled that in petitions seeking transfer of matrimonial proceedings, the Court has to bear in mind the convenience and hardship of the spouse who is required to travel, particularly where the wife has custody of a minor child, and the overall ends of justice. In the case on hand, the petitioner is residing at Chennai with the minor girl child. The plea of long-distance travel, financial burden, and the need to care for the child cannot be brushed aside. On the other hand, the respondent can be directed to contest the proceedings at Chennai and no serious prejudice is shown to be caused to him by such transfer.
6. Accordingly, Tr.C.M.P. No.1340 of 2025 is allowed. H.M.O.P. No.64 of 2025 on the file of the Subordinate Court, Tiruttani, is withdrawn and transferred to the file of the Family Court, Chennai. The Subordinate Court, Tiruttani, shall transmit the entire records to the Family Court, Chennai, within three (3) weeks from the date of receipt of this order and the Family



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Court, Chennai shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. C.M.P. No.31070 of 2025 of 2025 is closed. There shall be no order as to costs.

19.01.2026

mfa

Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation: Yes / No

To

1. Subordinate Court at Tiruttani
2. Family Court, Chennai



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DR. A.D. MARIA CLETE, J

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and
CMP No.31070 of 2025**

19.01.2026