



Tr.C.M.P.No.1326 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2026

PRESENT:

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P. No.1326 of 2025

and

C.M.P.No.30431 of 2025

V.Punitha,
D/o.Murugan,
W/o.Vadivel
55/14A, Kalathu Mettu Street,
Veeravanallur, Tirunelveli,
Tamil Nadu 627 426.

... Petitioner

Vs.

1.A.Vadivel,
S/o.Andavar,
Door No.8/65, M.G.R.Nagar,
Arulpuram, Karaiputhur,
Palladam, Tiruppur District.

2.M.Parthiban,
S/o.Murugan,
Keezhakku Theru,
Poosaipatti, Manlanupattipost,
Nilakkottai, T.K.Batlakundu,
Dindigul District.

... Respondents

Prayer in Tr.C.M.P.No.1326 of 2025: Petition filed under Section 24 of CPC to withdraw the petition in H.M.O.P.No.70 of 2024 from the file of the Subordinate



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Court, Palladam and transfer the same to the file of the Subordinate Court, Ambasamudram and thus render justice.

Prayer in C.M.P.No.30431 of 2025: Petition filed under Section 151 of CPC to stay all further proceedings in H.M.O.P.No.70 of 2024 on the file of the Subordinate Court, Palladam, pending disposal of the Transfer C.M.P.

For Petitioner : Mr.K.Karthikeyan.

For Respondents : Mr.C.Prabhakaran.

ORDER

Heard.

2. The petitioner/wife seeks withdrawal of H.M.O.P.No.70 of 2024 pending on the file of the Subordinate Court, Palladam and transfer of the same to the file of the Subordinate Court, Ambasamudram which has been filed by the respondent/husband seeking dissolution of marriage.

3. The petitioner states that she is residing with her minor daughter at Veeravanallur, Tirunelveli District, that she has no independent means, and that she finds it extremely difficult to travel to Palladam for each hearing. She further



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pleads medical difficulty (back pain), lack of support at home, and financial constraints to undertake repeated long-distance travel.

4. On the other hand, the learned counsel for the respondents strongly objected the petitioner's case for transfer by filing a counter stating that the petitioner is not residing in Tirunelveli and she is residing in Tiruppur and sought for dismissal of this petition.

5. On the pleadings placed, the petitioner's residence is far away from Palladam and she has pleaded responsibility of caring for a young child, along with medical and financial constraints. In such circumstances, insisting upon her repeated appearance at Palladam is likely to operate as a substantial impediment to her effective participation. Transfer to Ambasamudram would mitigate that hardship.

6. 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



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consideration, particularly when she pleads difficulty in travelling to the Court where proceedings are instituted.

7. In the result, Tr.C.M.P.No.1326 of 2025 is allowed. H.M.O.P.No.70 of 2024 pending on the file of the Subordinate Court, Palladam is withdrawn and transferred to the file of the Subordinate Court, Ambasamudram. The Subordinate Court, Palladam shall transmit the entire records to the Subordinate Court, Ambasamudram forthwith. The transferee Court shall take the matter on file upon receipt of records and proceed in accordance with law. The connected miscellaneous petition is closed. No order as to costs.

22.01.2026

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Index : Yes/No

NCC : Yes/No

Speaking Order / Non-Speaking Order

To

1.The Subordinate Court,
Palladam.

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2.The Subordinate Court,
Ambasamudram.

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DR. A.D. MARIA CLETE, J

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