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Tr.C.M.P.No.1354 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.1354 of 2025

and

C.M.P.No.31512 of 2025

Bhuvaneswari, F/A 21 years,
D/o.Boominathan, gounder
W/o.Sethuraman,
No.2, Arcot main road,
Ayanthur Village, Kanchipuram Taluk,
Villupuram District.

... Petitioner

Vs.

Sethuraman, M/A 34 years,
S/o.Iyappan,
Perimbakkam Village,
Ulundhurpettai Taluk,
Kallakurichi District.

... Respondent

Prayer in Tr.C.M.P.No.1354 of 2025: Petition filed under Section 24 of CPC to withdraw the petition in H.M.O.P.No.29 of 2025 on the file of the Subordinate Judge, Ulundhurpet and transfer of the same to the Family Court, Villupuram and thus render justice.

Prayer in C.M.P.No.31512 of 2025: Petition filed under Section 151 of CPC to stay all further proceedings in H.M.O.P.No.29 of 2025 on the file of the Subordinate Judge, Ulundhurpet, pending disposal of the Transfer C.M.P.



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For Petitioner : Mr.J.Jayan.

For Respondent : Mr.J.Prakasam.

ORDER

Heard.

2. The petitioner/wife seeks withdrawal of H.M.O.P.No.29 of 2025 pending on the file of the Subordinate Judge, Ulundurpet, and transfer the same to the Family Court, Villupuram.

3. The petitioner states that the marriage was solemnised on 24.01.2024 and that a female child, aged about six months, was born in the wedlock. The petitioner further pleads that she is residing at Villupuram, that she has no independent income, and that repeated travel from Villupuram to Ulundurpet for every hearing causes serious hardship. She has specifically pleaded that travel would take nearly 3 hours for about 75 kms, that she has to travel about 150 kms in a day, and that she is still feeding the infant and also facing pregnancy-related difficulties, besides lack of assistance and safety concerns.



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4. On the other hand, the learned counsel for the respondent strongly objected the petitioner's case for transfer stating that the distance from Villupuram to Ulundurpet is only 38 kms and the petitioner has falsely stated as 75 kms and hence, sought for dismissal of this petition.

5. Having regard to the petitioner's pleaded circumstances—particularly the care of an infant, the stated distance/time involved in travel, and the absence of support—this Court is satisfied that continuing the proceedings at Ulundurpet would cause avoidable hardship to the petitioner. Transfer to Villupuram would alleviate such 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 consideration, particularly when she pleads difficulty in travelling to the Court where proceedings are instituted.



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7. In the result, Tr.C.M.P.No.1354 of 2025 is allowed. H.M.O.P.No.29 of 2025 pending on the file of the Subordinate Judge, Ulundurpet is withdrawn and transferred to the file of the Family Court, Villupuram, for disposal in accordance with law. The Subordinate Judge, Ulundurpet shall transmit the entire records to the Family Court, Villupuram forthwith. The transferee Court shall take the matter on file on receipt of records and proceed in accordance with law. C.M.P.No.31512 of 2025 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,
Ulundurpet.

2.The Family Court,
Villupuram.



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DR. A.D. MARIA CLETE, J

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