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Tr.C.M.P.No.1341 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2026

CORAM:

THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE

Tr.C.M.P. No.1341 of 2025

&

C.M.P. No.31076 of 2025

R.Sasirekha

D/O. K.Rajaram, No.64, Kulakarai Street,
Katpadi, Vellore – 632 007, Vellore District.

... Petitioner

-Versus-

D.Maheswaran

S/O. G.Durai, No.48/30, Balamurugan Street,
Vyasarpadi, Chennai - 600039.

... Respondent

Prayer in Tr.C.M.P. No.1341 of 2025: Transfer Petition filed under Section 24 of C.P.C., to withdraw the case in H.M.O.P. No 1614 of 2025 on the file of the 1st Additional Family Court at Chennai and transfer the same to the Subordinate Court at Katpadi, Vellore District.

Prayer in C.M.P. No. 31076 of 2025: Petition seeking to stay of all further proceedings in pursuant to the HMOP No.1614 of 2025 on the file of the 1st Additional Family Court at Chennai, pending disposal of the Transfer C.M.P.

For Petitioner : Mr.Sathish Kumar, Advocate



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For Respondent : Ms.D.Prasanna, Advocate

ORDER

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Heard .

2.The present Transfer Civil Miscellaneous Petition has been filed by the petitioner/wife seeking withdrawal of H.M.O.P. No 1614 of 2025 on the file of the 1st Additional Family Court at Chennai and transfer the same to the Subordinate Court at Katpadi, Vellore District.

3. The present Transfer Civil Miscellaneous Petition is filed seeking withdrawal of H.M.O.P.No.1614 of 2025 pending on the file of the I Additional Family Court, Chennai and transfer of the same to the file of the Subordinate Court, Katpadi, Vellore District.

4. The petitioner states that the marriage between the petitioner/wife and the respondent/husband solemnized on 06.11.2016 and a female child was born out of wedlock. The respondent-husband filed a petition for divorce in HMOP No.1614 of 025 before I Additional Family Court, which is presently in counter stage.



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5. It is the specific case of the petitioner that she is residing at Katpadi, Vellore District and the distance to the Chennai Court is around 140 kms, and she is not in a position to leave the minor girl child and travel for each and every hearing; she would require an escort to attend Court along with the minor child and her father, being a retired person with medical ailments, is not in a position to accompany her.

6. This Court, in transfer petitions arising out of matrimonial proceedings, consistently keeps in view the convenience of the wife and the welfare of the minor child, so that a party is not subjected to undue hardship merely to participate in the proceedings. In the case on hand, the petitioner has shown reasonable cause of inconvenience in attending the proceedings at Chennai, considering the distance involved and the need to travel with the minor child.

7. On the other hand, transfer would not cause any irreparable prejudice to the respondent. In the overall facts and circumstances, this Court is of the view that ends of justice would be met by ordering transfer as prayed for.



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8. Accordingly, Tr.C.M.P. No.1341 of 2025 is allowed. H.M.O.P. No.1614 of 2025 on the file of the 1st Additional Family Court, Chennai, is withdrawn and transferred to the file of the Subordinate Court, Katpadi, Vellore District. The 1st Additional Family Court, Chennai, shall transmit the entire records to the Subordinate Court, Katpadi, within three (3) weeks from the date of receipt of a copy of this order and the Subordinate Court, Katpadi, 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. 31076 of 2025 is closed. There shall be no order as to costs.

03.02.2026

jv/mfa

Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation: Yes / No



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- To
1. The Additional Family Judge, Chennai
 2. The Subordinate Judge, Katpadi, Vellore District.



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DR. A.D. MARIA CLETE, J

jv/mfa

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&
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