



WEB COPY



Tr.C.M.P.No.1349 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.1349 of 2025

and

C.M.P.No.31466 of 2025

Lakshmi Priya
D/o.Krishna Moorthy
No.36, Kavarai Street,
Kumbakonam.

... Petitioner

Vs.

S.Rubesh Raj
No.10, Second Cross Street,
Venugopal Nagar, Thirumullaivoyal
Avadi, Chennai – 600 062.

... Respondent

Prayer in Tr.C.M.P.No.1349 of 2025: Petition filed under Section 24 of CPC to withdraw the petition in H.M.O.P.No.408 of 2025 from the file of the Subordinate Court, Ambattur and transfer the same to the file of the Family Court, Kumbakonam and thus render justice.

Prayer in C.M.P.No.31466 of 2025: Petition filed under Section 151 of CPC to stay all further proceedings in H.M.O.P.No.408 of 2025 on the file of the Subordinate Court, Ambattur pending disposal of the Transfer C.M.P.

For Petitioner : Mr.Velu Srinivasan.

For Respondents : Mr.C.Arun Pandian.



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ORDER

Heard.

2. The petitioner/wife seeks withdrawal of H.M.O.P.No.408 of 2025 pending on the file of the Subordinate Court, Ambattur and transfer of the same to the Family Court, Kumbakonam, which has been instituted by the respondent/husband seeking dissolution of marriage.

3. The petitioner states that she is residing at Kumbakonam with her aged parents and that it would be extremely difficult for her to attend the proceedings at Ambattur, which is far away from her place of residence. She also pleads that the respondent would not be similarly inconvenienced if the matter is tried at Kumbakonam.

4. Having regard to the petitioner's stated residence at Kumbakonam and the difficulty pleaded in attending Court at Ambattur on each hearing date, this Court is satisfied that continuation of the proceedings at Ambattur would cause avoidable hardship to the petitioner.

5. 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.

6.In the result, Tr.C.M.P.No.1349 of 2025 is allowed. H.M.O.P.No.408 of 2025 pending on the file of the Subordinate Court, Ambattur is withdrawn and transferred to the file of the Family Court, Kumbakonam, for disposal in accordance with law. The Subordinate Court, Ambattur shall transmit the entire records to the Family Court, Kumbakonam forthwith. The transferee Court shall take the matter on file upon receipt of records and proceed further 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,
Ambattur

2.The Subordinate Court,
Kumbakonam.

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DR. A.D. MARIA CLETE, J

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