



Tr.C.M.P.No.1392 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.1392 of 2025

and

C.M.P.No.32528 of 2025

Jayapriya

... Petitioner

Vs

M.Arunkumar

... Respondent

PRAYER in Tr.C.M.P:

This Transfer Miscellaneous Petition is filed under Section 24 C.P.C., to withdraw and transfer HMOP No.91 of 2025 on the file of the Subordinate Court, Maduranthakam, Chengalpattu District to Family Court at Salem.

PRAYER in C.M.P:

To stay all further proceedings in HMOP No.91 of 2025 on the file of the Subordinate Court, Maduranthakam, Chengalpattu District, pending disposal of the above Tr.C.M.P.

For Petitioner : Mr.M.Jaisingh

For Respondent :No appearance



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ORDER

Heard.

2. This Transfer Civil Miscellaneous Petition is filed by the wife seeking transfer of H.M.O.P. No.91 of 2025 pending on the file of the Subordinate Judge, Maduranthakam to the Family Court, Salem.
3. The case of the petitioner is that the marriage between the parties was solemnised on 03.03.2021 and that she is now residing at Salem District. It is stated that the respondent/husband, being aware of her place of residence, has instituted H.M.O.P. No.91 of 2025 at Maduranthakam. The petitioner pleads hardship in travelling, pointing out that the Court at Maduranthakam is stated to be about 300 kilometres away from her residence and that it is not feasible for her to attend the hearings there. It is also stated that there are no children born through the wedlock.



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4. Transfer of proceedings under Section 24 CPC is discretionary, and the paramount consideration in matrimonial matters is the convenience of parties, particularly where the wife pleads genuindifficulty in undertaking long-distance travel for each hearing. When the petitioner/wife is stated to be residing at Salem and the proceedings are pending at Maduranthakam, requiring repeated travel over a considerable distance, the balance of convenience warrants transfer.
5. No serious prejudice would be caused to the respondent by directing the matter to be tried by the competent Family Court at Salem, whereas refusal would cause undue hardship to the petitioner.
6. In view of the above, this Court is inclined to allow the Transfer Civil Miscellaneous Petition.
7. Accordingly, Tr.C.M.P. No.1392 of 2025 is allowed. H.M.O.P. No.91 of 2025 on the file of the Subordinate Judge, Maduranthakam, Chengalpattu District, is withdrawn and transferred to the



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file of the Family Court, Salem. The Subordinate Judge, Maduranthakam, shall transmit the entire records to the Family Court, Salem, within three (3) weeks from the date of receipt of a copy of this order and the Family Court, Salem 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.32528 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, Maduranthakam, Chengalpattu District
2. Family Court at Salem



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DR. A.D. MARIA CLETE, J

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and
C.M.P.No.32528 of 2025**

19.01.2026