



WEB COPY

TR CMP No. 1393 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

CORAM

THE HON'BLE MRS.JUSTICE R. KALAIMATHI

TR CMP No. 1393 of 2025

AND

CMP NO. 32537 OF 2025

Lekshmi

..Petitioner(s)

Vs.

Ragul Ravichandran

..Respondent(s)

Prayer : This Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C.To withdraw the case of HMOP No. 3634 of 2025 pending on the file of the IV Additional Principal Family Court at Chennai and transfer the same to the Family Court at Chengalpattu.

For Petitioner(s): Mr.M.Rakhi

For Respondent(s): Ms.S.Viji

ORDER

Heard the learned counsel for the petitioner and the learned counsel for the respondent.

2. The wife who is arrayed as respondent in H.M.O.P.No.3634 of 2025 on the file of the IV Additional Principal Family Court, Chennai, is the petitioner herein.



3. The petitioner/wife would aver that she has instituted the Original Petition in F.C.O.P.No.491 of 2024 for dissolution of marriage which is pending before the Family Court, Chengalpattu. She would further aver that she finds it difficult to travel from Velacherry to Chennai for each and every hearing as she has a three old child and has to take care of her parents. She would also aver that maintaining two separate proceedings from two separate courts is causing her mental and emotional stress.

4. The learned counsel for the respondent would vehemently contend that it is learnt that the petitioner has shifted her residence from Oragadam to Velacherry and that, at present, she is residing at Velacherry. Therefore, there is no inconvenience for her to attend the hearings before the Family Court, Chennai.

5. Be that as it may, it is learnt that the respondent/husband has instituted H.M.O.P.No.3634 of 2025 for restitution of conjugal rights under Section 9 of the Hindu Marriage Act, 1955 which is pending before the IV Additional Principal Family Court, Chennai. The address of the petitioner/wife is stated to be Flat No.1801, Hiranandani Parks, Oragadam 603 204.

6. The principles regarding transfer petitions, more specifically in the matters of matrimonial cases are well settled by the Hon'ble Supreme Court in the following cases:-



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“i. In AIR 2000 SC 3512 (1) (Mona Aresh Goel vs. Aresh Satya Goel), when the wife pleaded that she was unable to bear the traveling expenses and even to travel alone and stay at Bombay, the Supreme Court ordered transfer of proceedings.

ii. In 2000 (10) SCC 304 (Geeta Heera Vs. Harish Chander Heera), the Hon’ble Supreme Court has held that where the petitioner’s wife has pleaded lack of money, the same has to be considered.

iii. In Lalita A. Ranga Vs. Ajay Champalal Ranja reported in (2009) 9 SCC 355 , wherein the wife, who was having small child and she was finding it difficult to travel from Jaipur to Bombay, and the Hon’ble Apex Court accepting her request ordered the transfer petition in favour of the wife transferring the transfer petition from Family Court at Bandra in Mumbai to the Family Court at Jaipur.”

7. On perusal of petition filed in H.M.O.P.No.3634 of 2025, it appears that petitioner/husband is the resident of Ashok Nagar, Chennai and the respondent/wife is resident of Velacherry, Chennai.

8. Under such circumstances, request of the petitioner/wife and the reasons assigned by her as mentioned supra, appears to be based on justifiable cause and accordingly, this Transfer Civil Miscellaneous Petition is allowed. Sequel to this, H.M.O.P.No.3634 of 2025 pending on the file of the IV Additional Principal Family Court, Chennai and transferred to the file of the



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R.KALAIMATHI, J.

KKD

Family Court, Chengalpattu. The Family Court, Chengalpattu on receipt of the records to try and dispose of the matter in accordance with law at the earliest.

No Costs. Consequently, connected Civil Miscellaneous Petition is closed.

27-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

KKD

To

1. IV Additional Principal Family Court, Chennai.
2. The Family Court, Chengalpattu.

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