



Tr.C.M.P.No.1406 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2026

CORAM

THE HON'BLE Mrs.JUSTICE R.KALAIMATHI

Tr.C.M.P.No.1406 of 2025

and

C.M.P.No.32941 of 2025

Kapila G alias Divya

... Petitioner

Vs

Varun MG

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P.No.138 of 2025 pending on the file of the Subordinate Court, Katpadi and to transfer the same to the Family Court, Chennai.

For Petitioner	: Mr.K.Subbu Ranga Bharathi
For Respondent	: No Appearance

ORDER

Heard the learned counsel for the petitioner (wife).

2. The respondent(wife) in H.M.O.P.No.138 of 2025 on the file of Subordinate Court, Katpadi is the petitioner herein.

1/5



Tr.C.M.P.No.1406 of 2025

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3. Petitioner/wife would aver that she has been staying with her mother in Chennai and she finds it difficult to travel from Chennai to Katpadi for all the Court hearings, as no one is there to accompany her for the Court hearings.

4. Despite receipt of notice and the name of the respondent/husband having been printed in the cause list, respondent neither appeared nor represented through his counsel.

5. 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:-

“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



Tr.C.M.P.No.1406 of 2025

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."

6. On perusal of short and long cause title, it appears that petitioner/wife is resident of Chennai (Mylapore).

7. In consideration of the above said details, the request of the petitioner herein / wife appears to be based on justifiable cause and accordingly, this Transfer Civil Miscellaneous Petition is allowed. Sequel to this, H.M.O.P.No.138 of 2025 pending on the file of the Subordinate Court, Katpadi is withdrawn and transferred to the file of the learned Principal Judge, Family Court, Chennai to be tried along with F.C.O.P.No.296 of 2026 filed by the wife under Section 9 of Hindu Marriage Act, 1955. The learned Principal Judge of the Family Court, Chennai, on receipt of the records shall take all effective steps to dispose of the matter in accordance with law at the earliest. No Costs.

3/5



Tr.C.M.P.No.1406 of 2025

Consequently, connected Civil Miscellaneous Petition is closed.

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09.04.2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
ssn

To

1. The Subordinate Court, Katpadi
2. The Principal Judge, Family Court, Chennai.
3. The Section Officer,
V.R.Section, High Court,
Madras.



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Tr.C.M.P.No.1406 of 2025

R.KALAIMATHI, J.,

ssn

Tr.C.M.P.No.1406 of 2025
and
C.M.P.No.32941 of 2025

09.04.2026