



WEB COPY

TR CMP No. 97 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2026

CORAM

THE HON'BLE MRS.JUSTICE R. KALAIMATHI

TR CMP No. 97 of 2026

and

C.M.P.No.2261 of 2026

G.Devi, Female,26
W/o.Gopinath,
D/o.P.Baskaran,
No.320, Andavar Illam,
Muniyappan Kovil Street,
Manickampalayam,
Erode-638 004.

..Petitioner(s)

Vs.

S.Gopinath, Male, 38,
S/o.P.Shanmuganathan,
19/251-1, Anna Nagar,
Sivaji Street,
Kulithalai Taluk,
Karur District-639 104.

..Respondent(s)

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, 1908, to withdraw the H.M.O.P.No.520 of 2025 pending before the Family Court, Karur, and transfer the same to the Family Court, Erode.

For Petitioner(s):

Mr.J.Ranjithkumar

For Respondent(s):

Mr.N.R.Sai Gautham



ORDER

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Heard the learned counsel for the petitioner (wife) and the learned counsel for the respondent (husband) and perused the materials available on record.

2. The respondent / wife in H.M.O.P.No.520 of 2025 on the file of the Family Court, Karur, is the petitioner herein. The said H.M.O.P. has been filed for dissolution of marriage on the ground of cruelty under Section 13(1)(ia) of the Hindu Marriage Act, 1955.

3. The petitioner would aver that she has been residing at Erode along with her 6-year-old child, and she finds it difficult to travel to Cuddalore, covering a distance of approximately 70 kilometers one way. She would further aver that such travel involves multiple changes of transport and long waiting hours.

4. The learned counsel for the petitioner would reiterate the grounds set out in the petition and seeks transfer of the aforesaid O.P. to the Family Court, Erode.



5. The learned counsel for the respondent would strenuously contend that, if the matter is transferred to the Family Court, Erode, it would cause hardship to the respondent, as he would have to travel a long distance to attend the Court hearings.

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:-

“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.”



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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**. As a sequel to this, H.MO.P.No.520 of 2025 pending on the file of the learned Judge, Family Court, Karur, is withdrawn and transferred to the file of the learned Judge, Family Court, Erode. The Family Court, Erode, on receipt of the records, shall take all effective steps to try and dispose of the matter in accordance with law at the earliest. No Costs. Consequently, connected Civil Miscellaneous Petition is closed.

16-04-2026

nvi

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

To

1. The Judge, Family Court, Karur
2. The Judge, Family Court, Erode



WEB COPY

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R.KALAIMATHI, J.

nvi

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