



Tr.C.M.P.(MD)No.225 of 2026

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DATED: 11.06.2026

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Tr.C.M.P.(MD)No.225 of 2026
and
C.M.P.(MD)No.5552 of 2026

S.Indhupriya

... Petitioner/
Respondent

Vs.

S.M.Rameshkumar

... Respondent/
Petitioner

Prayer : This Transfer Civil Miscellaneous Petition filed under Section 24 C.P.C., to withdraw the case H.M.O.P.No.920 of 2026 on the file of the learned III Additional Principal Judge, Family Court, Chennai to transfer the same to on the file of the learned Family Court, Ramanathapuram for adjudication.

For Petitioner : Mr.D.Balamurugapandi

For Respondent : Mr.K.Manikandan

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the



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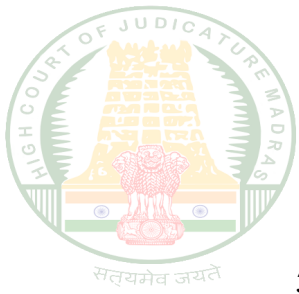
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case in H.M.O.P.No.920 of 2026 from the file of the III Additional Principal Judge, Family Court, Chennai and transfer the same to the file of the Family Court, Ramanathapuram.

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

3. It is not in dispute that the marriage between the petitioner and the respondent was solemnized on 23.08.2018 as per the Hindu rites and customs and due to their wedlock, they were blessed with one female child now aged 3½ years and that subsequently there arose some misunderstanding and they are living separately.

4. It is not in dispute that the respondent filed a petition in H.M.O.P.No.920 of 2026 seeking divorce and the same is pending on the file of the III Additional Principal Judge, Family Court, Chennai and that the petitioner has filed a petition in H.M.O.P.No.60 of 2026 seeking restitution of conjugal rights and the same is pending on the file of the Family Court, Ramanathapuram.



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5. The learned counsel appearing for the petitioner would submit that the petitioner is residing at Ramanathapuram along with her female child and finds it difficult to travel to Chennai to attend the hearings.

6. The respondent filed a counter statement raising objections.

7. The learned counsel appearing for the respondent would submit that the petitioner has not assigned any valid reason or ground to transfer the case. He would further submit that in case if the case is transferred, appearance of the respondent before the trial Court may be dispensed with.

8. In the case of ***N.C.V.Aishwarya Vs. A.S.Saravana Karthik Sha*** reported in ***2022 Live Law (SC) 627***, the Hon'ble Supreme Court has reiterated the position with generally, it is the wife's convenience, which must be looked at while considering the transfer petition under Section 24 of the Code of Civil Procedure and the relevant passage is extracted hereunder :

“The cardinal principle for exercise of power under Section 24 of the Code of Civil Procedure is that the ends of justice should demand the transfer of the suit, appeal or



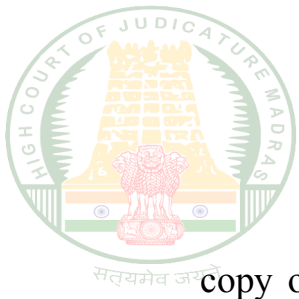
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other proceeding. In matrimonial matters, wherever Courts are called upon to consider the plea of transfer, the Courts have to take into consideration the economic soundness of both the parties, the social strata of the spouses and their behavioural pattern, their standard of life prior to the marriage and subsequent thereto and the circumstances of both the parties in eking out their livelihood and under whose protective umbrella they are seeking their sustenance to life. Given the prevailing socioeconomic paradigm in the Indian society, generally, it is the wife's convenience which must be looked at while considering transfer.", the bench observed."

9. Considering the facts and circumstances of the case and also taking note of the fact that the petitioner is residing at Ramanathapuram, this Court is of the view that the case in H.M.O.P.No.920 of 2026 is ordered to be withdrawn from the file of the III Additional Principal Judge, Family Court, Chennai, and transfer the same to the file of the Family Court, Ramanathapuram. Accordingly, the learned III Additional Principal Judge, Family Court, Chennai, is hereby directed to transmit the entire records in H.M.O.P.No.920 of 2026 to the file of the Family Court, Ramanathapuram, within a period of 10 days from the date of receipt of a



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copy of this order and on receiving the case bundle, the learned Judge, Family Court, Ramanathapuram, is directed to take up the petition on file and proceed in accordance with law.

10. With the above direction, the Transfer Civil Miscellaneous Petition is allowed. The respondent is at liberty to approach the Family Court, Ramanathapuram, for dispense with his personal appearance and on such application being filed, the learned Judge, Family Court, Ramanathapuram, is directed to consider the same on merits and in accordance with law. Consequently, connected Miscellaneous Petition is closed. No costs.

11.06.2026

NCC :yes/No
Index :yes/No
Internet:yes/No
csm

To

1. The III Additional Principal Judge,
Family Court, Chennai.
2. The Judge,
Family Court,
Ramanathapuram.
3. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
Tr.C.M.P.(MD)No.225 of 2026
and
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Dated : 11.06.2026