



Tr.C.M.P.(MD)No.683 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED: 19.06.2026

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Tr.C.M.P.(MD)No.683 of 2025
and
C.M.P.(MD)No.19642 of 2025

Helen Snowfia

... Petitioner/
Respondent

Vs.

Jerom

... Respondent/
Petitioner

Prayer : This Transfer Civil Miscellaneous Petition filed under Section 24 C.P.C., to withdraw and transfer of the above O.P.No.195 of 2025 on the file of the Family Court, Sivagangai and transfer the same to the Court of the Family Court, Thoothukudi and decide the same.

For Petitioner : Mr.M.M.Manivelpandian

For Respondent : Mr.C.Rajagopal

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the



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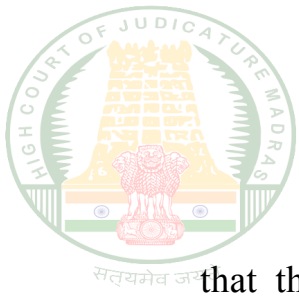
case in O.P.No.195 of 2025 from the file of the Family Court, Sivagangai, and transfer the same to the file of the Family Court, Thoothukudi.

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

3. It is seen from the records that the marriage between the petitioner and the respondent was solemnized on 03.02.2025 as per the Christian rites and customs and that subsequently there arose some misunderstanding and they are living separately. It is evident from the records that the respondent filed a petition in O.P.No.195 of 2025 seeking restitution of conjugal rights and the same is pending on the file of the Family Court, Sivagangai.

4. The learned counsel appearing for the petitioner would submit that the petitioner is now residing at Thoothukudi and finds it difficult to travel to Sivagangai to attend the hearings.

5. The learned counsel appearing for the respondent would submit



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that the petitioner as well as the respondent are presently working at Coimbatore and while they were living together, there arose some misunderstanding and parents of both the parties came to settle the matter but ended in failure, that the petitioner has then proceeded to Thoothukudi, that when the respondent and his relatives went to Thoothukudi to pacify the petitioner, the petitioner's relatives threatened the respondent and that therefore, the respondent was constrained to file the above petition seeking restitution of conjugal rights.

6. The learned counsel appearing for the petitioner would submit that the respondent is working in a Bank as a permanent employee but the petitioner is working in the IT sector as a temporary employee and she is presently residing at Thoothukudi along with her parents.

7. 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 :



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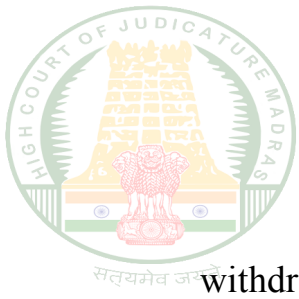


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“The cardinal principle for exercise of power under Section 24 of the Code of Civil Procedure is that the ends of justice should demand the transfer of the suit, appeal or other proceeding. In matrimonial matters, wherever Courts are called upon to 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.”

8. At this juncture, the learned counsel appearing for the respondent would submit that the respondent may be permitted to appear through video conferencing before the Family Court, Thoothukudi.

9. Considering the above facts and circumstances and also taking note of the fact that the petitioner is now residing at Thoothukudi, this Court is of the view that the case in O.P.No.195 of 2025 is ordered to be



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withdrawn from the file of the Family Court, Sivagangai, and transfer the same to the file of the Family Court, Thoothukudi. Accordingly, the learned Judge, Family Court, Sivagangai, is hereby directed to transmit the entire records in O.P.No.195 of 2025 to the file of the Family Court, Thoothukudi, within a period of 10 days from the date of receipt of a copy of this order and on receiving the case bundle, the learned Judge, Family Court, Thoothukudi, 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, Thoothukudi, requesting for appearing through video conferencing and on such application being filed, the learned Judge, Family Court, Thoothukudi, is directed to consider the same and pass orders in accordance with law. Consequently, connected Miscellaneous Petition is closed. No costs.

19.06.2026

NCC :yes/No
Index :yes/No
Internet:yes/No
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K.MURALI SHANKAR,J.

csn

To

1. The Judge,
Family Court,
Sivagangai.
2. The Judge,
Family Court,
Thoothukudi.
3. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Tr.C.M.P.(MD)No.683 of 2025
and
C.M.P.(MD)No.19642 of 2025

Dated : 19.06.2026