

Sapthasri Vs Saravana Kumar

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Court : Chennai

Decided On : Mar-16-2026

Judge : Honourable Mrs.Justice R. Kalaimathi

Appeal No. : TR CMP/56/2026

Appellant : Sapthasri

Respondent : Saravana Kumar

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2026

CORAM

THE HON'BLE Mrs.JUSTICE R.KALAIMATHI and C.M.P.No.1434 of 2026 Sapthasri ... Petitioner Vs Saravanakumar ... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P.No.354 of 2025 from the file of the Family Court, Tirupur, and transfer the same to the file of the Subordinate Judge Court, Denkanikottai, Krishnagiri District to be tried along with H.M.O.P.No.54 of 2025 and D.V.C.No.2 of 2025. For

Petitioner : Mr.S.Sabarish For Respondent : No Appearance

ORDER

Heard the learned counsel for the petitioner.

2. This Transfer Civil Miscellaneous Petition is taken out by the wife / respondent in H.M.O.P.No.354 of 2025 on the file of the Family Court, Tirupur.

3. Petitioner/wife would aver that she has instituted

H.M.O.P.No.54 of 2025 for restitution of conjugal rights under Section 9 of the Hindu Marriage Act, 1955 before the Subordinate Court, Denkanikottai and she has to travel from Rayakottai Village to Tirupur for more than 225 Kms., on the date of hearing and she finds it very difficult to travel to Tirupur. Hence this petition.

4. Despite receipt of notice and name being printed in the cause list, neither the respondent 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 Honble 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 Honble 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 Honble 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. From a perusal of case records, it appears that petitioner is the resident of Denkanikottai Taluk and she has initiated two proceedings against her husband and the same are pending as mentioned supra.

7. In consideration of all the details mentioned supra,

petitioner/wife request to transfer H.M.O.P.No.354 of 2025 which is pending before the Family Court, Tirupur appears to be based on justifiable cause and accordingly, this Transfer Civil Miscellaneous Petition is allowed. Sequel to this, H.M.O.P.No.354 of 2025 pending on the file of the Family Court, Tirupur is withdrawn and transferred to the file of the Subordinate Court, Denkanikottai, Krishnagiri District, to be tried simultaneously with H.M.O.P.No.54 of 2025 and D.V.C.No.2 of

2025. The Subordinate Court, Denkanikottai 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. 16.03.2026 Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No ssn To

1. The Family Court, Tirupur.

2. The Subordinate Court, Denkanikottai, Krishnagiri District.

3. The Section Officer, V.R.Section, High Court, Madras. R.KALAIMATHI, J., ssn and C.M.P.No.1434 of 2026 16.03.2026

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