

S.Indumathi vs a.Ramakrishnan

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Court : Chennai

Decided On : Mar-05-2026

Judge : Honourable Mrs.Justice R. Kalaimathi

Appeal No. : TR CMP/574/2025

Appellant : S.Indumathi

Respondent : A.Ramakrishnan

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2026

CORAM

THE HON'BLE Mrs.JUSTICE R.KALAIMATHI and C.M.P.No.14056 of 2025 S.Indumathi ... Petitioner Vs A.Ramakrishnan ... Respondent
PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, 1908, to withdraw the above mentioned O.P.No.3 of 2025 on the file of the Sub Court, Arni, and transfer the same to the Family Court, Tiruvallur. For Petitioner : Mr.G.Thyagarajan
For Respondent : Mr.P.Mani

ORDER

This Transfer Civil Miscellaneous Petition is filed seeking to withdraw the O.P.No.3 of 2025 pending on the file of the Sub-Court, Arni, and transfer the same to the Family Court, Tiruvallur.

2. Transfer of O.P.No.3 of 2025 on the file of Sub-Court, Arni is

sought for by the petitioner/wife on the ground that she is residing in Tiruvallur with her parents. It is her grievance that she finds it very difficult to travel 120 Kms., from Tiruvallur to Arni for every hearing. She is depending entirely on her father for her expenses and therefore, she is not able to spend money for travel for every hearing, since the matter is before the Sub-Court, the presence of the parties is mandatory.

3. Heard the learned counsel for the petitioner and the learned counsel for the respondent and perused the materials available on record.

4. 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.

5. On perusal of petition filed in O.P.No.3 of 2025, it appears that petitioner/husband is the resident of Tiruvannamalai District and the respondent/wife is the resident of Tiruvallur District.

6. 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, O.P.No.3 of 2025 pending on the file of the Sub-Court, Arni is withdrawn and transferred to the file of the Family Court, Tiruvallur. The Family Court, Tiruvallur 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. 05.03.2026
Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No ssn To

1. The Subordinate Court, Arni.
2. The Family Court, Tiruvallur.
3. The Section Officer, V.R.Section, High Court, Madras. R.KALAIMATHI, J., ssn and C.M.P.No.14056 of 2025 05.03.2026

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