



WEB COPY

TR CMP No. 361 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-07-2026

CORAM

THE HON'BLE MR.JUSTICE P.B. BALAJI

**TR CMP No. 361 of 2026 and
CMP No.10336 of 2026**

Ranjita Sahu, W/o.Pravat Kumar Kundu,
Raja Majestic Apartment,
Plot No.20, Saraswathy Street,
8th Cross Street, Ramnagar South,
Maddipakkam, Chennai-600091.

..Petitioner(s)

Vs

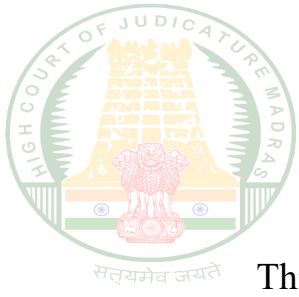
Pravat Kumar Kundu,
S/o. Late Tara Pada Kundu,
PLAZA TRANQUIL ACRES, Phase 1,
Block B-2, Door No.-2B, 200 Feet MMRD Road,
Kovilambakkam, Chennai - 600 129.

..Respondent(s)

Prayer: Transfer Civil Miscellaneous Petition has been filed under Section 24 of CPC to withdraw H.M.O.P.No.973 of 2025 from the file of the Sub Court, Alandur, and transfer the same to the file of the VI Additional Family Court, Chennai, to be tried along with O.P.No.3488 of 2024.

For Petitioner(s): Mrs. K.Sumathi

For Respondent(s): Mr. Adinarayana Rao



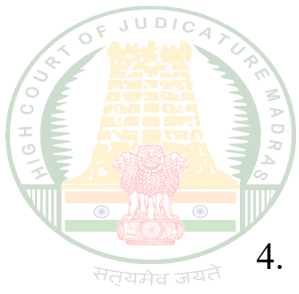
ORDER

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This transfer Civil Miscellaneous Petition has been filed seeking transfer of H.M.O.P.No.973 of 2025 from the file of the Sub Court, Alandur and transfer the same to the file of the VI Additional Family Court, Chennai, to be tried along with O.P.No.3488 of 2024.

2. Heard Mrs.K.Sumathi, learned counsel appearing for the petitioner and Mr.Adinarayana Rao, learned counsel appearing for the respondent.

3. The learned counsel for the petitioner states that the respondent, after getting to know about the proceedings initiated by the petitioner/wife for divorce in HMOP No.3488 of 2024 on the file of VI Additional Family Court, Chennai and after waiting for more than a year, has chosen to initiate proceedings in HMOP No.973 of 2025 before the Sub Court Alandur. The learned counsel for the petitioner would also state that originally the matrimonial proceedings have been initiated before the Family Court, Bhubaneswar and only at the instance of the respondent, it has been transferred to the file of Family Court, Chennai and the same is pending as HMOP No.3488 of 2024.



4. In view of the above, I see no justification on the part of the respondent in filing the OP before the Sub Court, Alandur. However, the learned counsel for the respondent justifies the action of the respondent stating that the presence of the respondent would not be mandatory for the sub court and he is suffering from cancer and hence has moved the HMOP No.973 of 2025 before the jurisdictional Court, which cannot be found fault with.

5. I have carefully considered the submissions of the learned counsel on either side.

6. Admittedly, there are two petitions, one for divorce filed by the petitioner/wife and another for restitution of conjugal rights filed by the respondent/husband. In order to avoid multiplicity of proceedings and conflicting orders, absolutely, it is necessary that both the proceedings shall be tried jointly.

7. In the light of the above and also the discussion made herein above, this transfer civil miscellaneous petition is allowed with the following directions:-

i) HMOP No.973 of 2025 is withdrawn from the file of Sub Court, Alandur and transferred the same to the file of VI Additional Family Court,



Chennai to be tried jointly along with HMOP No.3488 of 2024.

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ii) Considering the request of the respondent/husband that he is suffering from Cancer and he may not be in a position to attend each and every hearing, his presence being mandatory before the Family Court, permission is granted to the respondent/husband to attend the proceedings through video conferencing and the family court shall also not insist on the physical presence of the respondent, ordinarily, except during trial.

iii) The petitioner shall file counter in HMOP No.973 of 2025, within a period of four weeks from the date of receipt of copy of the order.

iv) The trial shall be concluded by 30.04.2027.

There shall be no order as to costs. Connected miscellaneous petition is closed.

21-07-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MST

1. The Subordinate Judge, Alandur.

2. The VI Additional Judge, Family Court, Chennai.



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P.B.BALAJI, J.

MST

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