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TR CMP Nos. 653, 694 and 695 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-07-2026

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

**TR CMP Nos. 653, 694 and 695 of 2026
and CMP No.17923, 18904 and 180906 of 2026**

TR CMP Nos. 653 of 2026

1. S.R.Charu Nagarjun
S/o. Sankara Ramalingam, Plot No.25, Park
Town 4th Street, Thabalthanthi Nagar,
Mdurai North, Madurai 625 017.

Petitioner(s)

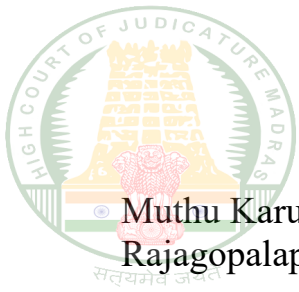
Vs

1. Sowmiya Lakshmi
W/o. S.R.Charu Nagarajan, D/o. Ilangovan,
Presently Residing at No.20, Rajalakshmi
Apartment, IOB, 1st Street, Thirubuvanai
Palayam, Pondicherry 605 107. Having
Permanent Address at No.33,
Muthukaruppakonar Nagar,
Rajagopalapuram, Pudukkottai District. 622
003.

Respondent(s)

TR CMP Nos. 694 and 695 of 2026

Sowmya Lakshmi
W/o. S.R.Charu Nagarjun D/o. Ilangovan
No.20, Rajalakshmi Apartment I.O.B, 1st
Street, Thirubuvanai Palayam Pondicherry
605 107 hav permanent address at No.33,



TR CMP Nos. 653, 694 and 695 of 2026

Muthu Karuppakonar Nagar
Rajagopalapuram Pudukkottai Dist. 622003

Petitioner(s)

Vs

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S.R.Charu Nagarjun
S/o. Sankara Ramalingam Plot No. 25, Park
Town fourth Street Thabal Thanthai Nagar
Madurai North Madurai 625 017

Respondent(s)

Tr.C.M.P.No.653 of 2026 is filed under Section 24 of Civil Procedure Code to withdraw HMOP No.336 of 2026 on the file of Family Court, Puducherry and transfer the same to Family Court, Madurai.

Tr.C.M.P.No.694 of 2026 is filed to withdraw G.W.O.P.No.58 of 2026 from the file of Family Court, Pudukkottai and transfer the same to the Family Court, Puducherry to be tried along with HMOP No.336 of 2026.

Tr.C.M.P.No.695 of 2026 is filed to withdrawn HMOP No.469 of 2026 from the file of Family Court, Madurai and transfer the same to the Family Court, Puducherry to be tried along with HMOP No.336 of 2026.

For Petitioner M/S. R.Srinivasan
in Tr.C.M.P.No.653 of
2026

For Petitioner in Mrs.Mythreye Chandru
Tr.C.M.P.Nos.694 & for Mr.P.Velmurugan
695 of 2026

For Respondent in Mrs.Mythreye Chandru
Tr.C.M.P.No.653 of for Mr.P.Velmurugan
2026

For Respondent in
Tr.C.M.P.Nos.694 & Mr.R.Srinivasan
695 of 2026



TR CMP Nos. 653, 694 and 695 of 2026

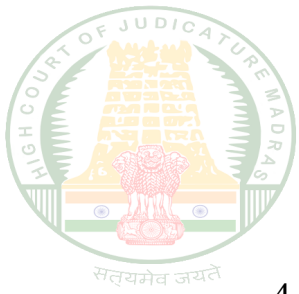
COMMON ORDER

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Tr.C.M.P.No.653 of 2026 is filed by the husband seeking transfer of HMOP No.336 of 2026 pending on the file of Family Court, Puducherry to the file of Family Court, Madurai.

2. However, the respondent/wife has come up with two separate petitions in Tr.C.M.P.Nos.649 and 695 of 2026 in and where by, she seeks transfer of G.W.O.P.No.58 of 2026 from the file of Family Court, Pudukkottai to the file of Family Court, Puducherry to be tried along with HMOP No.336 of 2026 and similarly seeks transfer of HMOP No.469 of 2026 from the file of Family Court, Madurai to the Family Court, Puducherry to be tried along with HMOP No.336 of 2026.

3. Learned counsel for the husband would state that after knowing that the husband has initiated proceedings for transfer to Family Court, Madurai, the wife has come up with these two transfer petitions and he would state that the husband is also a practicing doctor and it would be really inconvenient for him to be compelled to attend the proceedings before the Family Court, Puducherry, where the presence of the parties is mandatory. He would therefore state that all matters could be jointly taken up by Sub Court, Trichy or Thanjavur.



TR CMP Nos. 653, 694 and 695 of 2020

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4. Learned counsel for the wife who has taken out two petitions would firstly point out that even in HMOP No.469 of 2026, she has categorically averred about the avocation of the wife in Manakula Vinayagar College, Pondicherry. She further states that the wife is having a custody of 18 months girl baby and since she is admittedly studying at Puducherry, it would be virtually very inconvenient and difficult for her to travel physically as well as financially, especially taking the interest of the 18 months baby into consideration. She would further state that even prior to receipt of notice in the divorce petition filed by the husband, petition was filed for restitution of conjugal rights in HMOP No.336 of 2026, though HMOP No.336 of 2026 was filed after filing of the divorce petition by the husband.

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

6. Though the contention of the husband is that the wife is permanently residing at Pudukottai, as can be seen from the averments in the petition filed for divorce filed by the husband before the Family Court, Madurai, it is evident that the husband admits the factum of his wife studying Post Graduate Course at Manakula Vinayagar



TR CMP Nos. 653, 694 and 695 of 2026

College at Puducherry. In fact, in the transfer petition, filed by the husband, the address given to serve the wife, is only her Puducherry address.

7. In such view of the matter, it will not open to the husband to now contend that the wife is a permanent resident of Pudukottai and therefore, the proceedings need not be transferred to Pondicherry. The fact that the wife is having the custody of 18 months old girl baby is not disputed. Considering the above and the inconvenience caused to the wife, I am inclined to dispose of these petitions in the following manner:-

(a) Tr.C.M.P.No.653 of 2026 filed by the husband is dismissed.

(b) Tr.C.M.P.Nos.694 and 695 of 2026/wife are allowed and G.W.O.P.No.58 of 2026 is withdrawn from the file of Family Court, Pudukottai and HMOP No.469 of 2026 is withdrawn from the file of Family Court, Madurai and both G.W.O.P.No.58 of 2026 and HMOP No.469 of 2026 are transferred to the file of Family Court, Puducherry to be tried along with HMOP No.336 of 2026.



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TR CMP Nos. 653, 694 and 695 of 2026



P.B.BALAJI,,J

sr

(c) It is made clear that the transferee Court viz., Family Court, Puducherry shall not ordinarily insist on the physical presence of the husband and it shall be open to the husband to engage a counsel of his choice to represent him for all hearing dates, excepting for trial, when his presence would be absolutely necessary especially for recording his evidence in chief and cross.

No costs. Consequently, connected miscellaneous petitions are closed.

27.07.2026

sr

Index:yes/no

Website:yes/no

Speaking Order/Non-speaking Order

To

1. The Family Court, Pondicherry
2. The Family Court, Madurai
3. The Family Court, Pudukottai

TR CMP Nos. 653, 694 and 695 of 2026