



Tr.C.M.P.No.36 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2025

CORAM

THE HONOURABLE MS. JUSTICE P.T.ASHA

Tr.C.M.P.No.36 of 2025

and

C.M.P.No.840 of 2025

T.M.Supraja

... Petitioner

Vs

S.Balachandran

... Respondent

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure, to withdraw the proceedings in O.P.No.1303 of 2024 from the file of the District Family Court at Madurai and transfer the same to the Family Court, Pondicherry.

For Petitioner : Mr.N.Pragasam

For Respondent : Mr.J.Ravikumar



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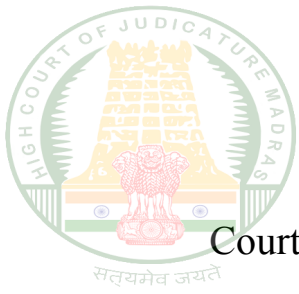
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ORDER

The respondent-wife in H.M.O.P.No.1303 of 2024 has filed the above Tr.C.M.P seeking to transfer the said O.P from the file of the District Family Court, Madurai to the Family Court, Puducherry.

2. The aforesaid petition has been filed by the respondent-husband seeking a declaration that the marriage between him and the petitioner which was solemnized on 25.06.2023 is null and void. The petition has been filed on the ground that the petitioner suffers from mental illness.

3. The petitioner would seek to transfer the said O.P on the ground that the respondent had left the petitioner back at her parental home in Puducherry assuring to take her back after she had recovered from her illness. Since the matter is posted before the Family Court, the petitioner is constrained to appear for all hearings before the Family



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Court which is not only physically exhausting but also a financial strain on her. That apart, the petitioner cannot travel all alone and has to be accompanied by someone which is an additional financial strain. The petitioner is now residing at Puducherry which falls within the jurisdiction of the Family Court at Puducherry which also has jurisdiction to entertain the petition. The above reasons given by the petitioner appears to be reasonable particularly when the respondent-husband has filed the petition to declare the marriage as null and void on the ground that the petitioner suffers from a mental illness.

4. Though the transfer has been objected to by the learned counsel appearing for the respondent-husband, this Tr.C.M.P is allowed particularly taking note of the fact that the respondent is not giving any maintenance to the petitioner. Therefore, H.M.O.P.No.1303 of 2025 pending on the file of the District Family Court, Madurai is withdrawn and transferred to the file of the Family Court(Puducherry).



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5. The learned counsel for the respondent-husband would submit that the parties may be referred to Mediation which has not been opposed by the petitioner-wife. Therefore, this Court appoints Mr.E.C.Chandru (Enrollment No.645/97), Cell No.98433 22533 as the Mediator and the parties shall appear before him as per his convenience. No costs. Consequently, connected miscellaneous petition is closed.

27.03.2025

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To

1. The District Family Court, Madurai
2. The Family Court, Pondicherry.



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P.T. ASHA, J.,

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