



WEB COPY



Tr.CMP.No.302 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.04.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr.CMP.No.302 of 2025
and CMP.No.6173 of 2025

Sakthipriya

... Petitioner

Vs.

1.Soundarajan
2.Sudhakar

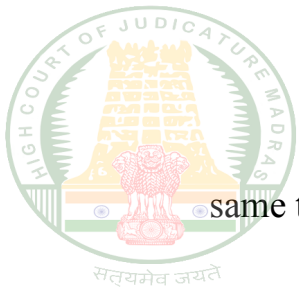
... Respondents

Prayer: Transfer Petition filed under Sec.24 of CPC praying to withdraw H.M.O.P.No.60 of 2024 along with I.A.No.29 of 2025 from the file of Family Court, Villupuram and transfer the same to the file of Family Court, Puducherry.

For Petitioner : Mr.T.Saikrishnan
For Respondent : Private Notice served
[No appearance]

ORDER

The petitioner-wife has filed the present transfer petition seeking to withdraw the H.M.O.P.No.60 of 2024 and I.A.No.29 of 2025 filed by the respondent-husband before the Family Court, Villupuram and transfer the



Tr.CMP.No.302 of 2022

same to Family Court, Puducherry.

WEB COPY

2. The petitioner and the first respondent are the married couples. Out of the wedlock, a daughter was born to them, who is now 8 years old. The respondent-husband is employed in Dubai and he would visit India once in a year. The petitioner was ill-treated by her in-laws. As days passed, things have become worse and ultimately, the petitioner was forcibly thrown out of her matrimonial home by her in-laws. Several attempts have been made by the petitioner-wife to return to her matrimonial house, but nothing fructified. In the said circumstances, the first respondent has filed a petition for divorce in H.M.O.P.No.60 of 2024 before the Family Court, Villupuram, making frivolous allegation against the petitioner. The said HMOP was dismissed on 14.10.2024. Thereafter, the first respondent filed an application in I.A.No.29 of 2029 to restore the said HMOP and the same is pending before the Family Court, Vellore.

3. The petitioner-wife would contend that since she was thrown out of the matrimonial home, she is now residing along with her minor child at her parent's house at Puducherry. The first respondent is not providing any



WEB COPY

maintenance either to her or to her minor child. The petitioner and her minor child are taken care of by her aged old parents and are living at the expense of her parents. She would also contend that with the meager income of her father, in addition to maintaining the petitioner and her minor child, they are also struggling to repay the debts incurred for the petitioner's marriage. It is also her grievance that since the matter is pending before the Family Court, she has to attend every hearing at Villupuram, which is not only a physical strain, but also a financial strain. This apart, she also contends that the respondent-husband is working at Dubai and he is conducting the Court proceedings through his power of attorney. Therefore, no prejudice would be caused to him, in the event of HMOP and its allied proceedings are transferred to Family Court, Puducherry.

4. Heard the learned counsel for the petitioner. Despite intimation being delivered to the respondents on four occasions, the addressees/respondents have not received the notice and it is returned 'unclaimed'. Therefore, it is a 'deemed service'.

5. Taking into account the difficulties expressed by the petitioner in



Tr.CMP.No.302 of 2025

WEB COPY

travelling from Puducherry to Villupuram, to attend every hearings and that no monetary support was provided by the respondent-husband, and that she depends on her parents solely to maintain herself and her minor child, this Court deems it fit to consider the prayer now sought in this Transfer CMP. Accordingly, the transfer petition is allowed and H.M.O.P.No.60 of 2024 and I.A.No.29 of 2025 pending on the file of Family Court, Villupuram, is withdrawn from its file and transferred to Family Court Puducherry. No costs. Consequently, connected miscellaneous petition is closed.

21.04.2025

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes / No
ds

To:

- 1.The Judge
Family Court, Villupuram.
- 2.The Judge
Family Court, Puducherry.
- 3.The Section Officer
VR Section, High Court, Madras.



WEB COPY



Tr.CMP.No.302 of 2025

P.T. ASHA, J.

ds

Tr.CMP.No.302 of 2025

21.04.2025