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Tr.CMP.No.1347 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.04.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr.CMP.No.1347 of 2024  
and CMP.No.29041 of 2024

Sai Kowshika

... Petitioner

Vs.

Prasanth

... Respondent

**Prayer:** Transfer Petition filed under Sec.24 of CPC praying to withdraw and transfer M.O.P.No.765 of 2024 on the file of Family Judge, Pondicherry to any appropriate Court at Chennai.

For Petitioner : Mr.C.T.Murugappan

For Respondent : Served [No appearance]

**ORDER**

The petitioner-wife has filed the present transfer petition seeking to withdraw the M.O.P.No.765 of 2024 filed by the respondent-husband before the Family Court, Pondicherry and transfer the same to any appropriate Court at Chennai.

2. The petitioner and the respondent are doctors by profession. The petitioner is the native of Chennai. The respondent is serving as a doctor in



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the Indian Army and his parental home is at Pondicherry. Their martial life was short lived and they got separated. The respondent-husband had filed M.O.P.No.382 of 2023 before the Family Court, Pondicherry, for restitution of conjugal rights, alleging that without reason, the petitioner-wife had deserted him. The petitioner had filed Tr.CMP.No.713 of 2023 before this Court seeking to transfer MOP.No.382 of 2023 and by order dated 20.09.2024, the said M.O.P. was transferred to Family Court, Chennai.

3. The grievance of the petitioner is that despite the Court considering her plea in the earlier Tr.CMP.No.713 of 2023, granting transfer of proceedings in M.O.P.382 of 2023 to Family Court at Chennai, the respondent-husband has filed the present petition M.O.P.No.765 of 2024 for divorce before the same Court at Pondicherry. This would clearly show that the intention of the respondent-husband was to put her to sufferings by forcing her to travel to Pondicherry. She also fears to travel all alone from Chennai to Pondicherry, as she parents are unable to accompany her. Hence, she seeks transfer of M.O.P.No.765 of 2024 to a Court at Chennai.

4. Heard the learned counsel for the petitioner. Though the



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respondent has been served with notice, there is no representation on behalf of the respondent either in person or through counsel.

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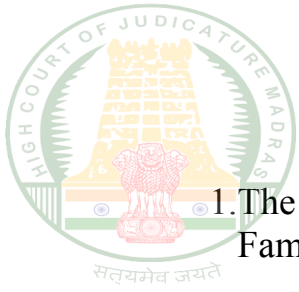
5. Taking into consideration the convenience of the petitioner and also the grounds for transfer are valid, the transfer petition is allowed and M.O.P.No.765 of 2024 on the file of Family Court, Pondicherry, is withdrawn from its file and transferred to Family Court at Chennai. This Court also deems it appropriate to extend the same relief which it had granted to the respondent-husband in Tr.CMP.No.713 of 2023. The learned Judge, Family Court, Chennai is required to dispense with the hearing of respondent-husband for every hearings, except on essential hearings like counselling and recording evidence. For non-essential and procedural hearings, the parties may be represented through their counsel. No costs. Consequently, connected miscellaneous petition is closed.

**17.04.2025**

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

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- 1.The Judge  
Family Court, Pondicherry
- 2.The Judge  
Family Court, Chennai.
- 3.The Section Officer  
VR Section, High Court, Madras.

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P.T. ASHA, J.

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