



Tr.C.M.P.No.717 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P.No.717 of 2025

and

CMP No.16756 of 2025

Suresh @ Suresh David

... Petitioner

Vs

Anusuya Devi

... Respondent

PRAYER in Tr.C.M.P:

This Transfer Miscellaneous Petition is filed under Section 24 C.P.C., to withdraw and transfer the IDOP No.83 of 2022 on the file of the Family Court, Villupuram to the file of the Family Court, Cuddalore to be tried along with IDOP No.324 of 2022.

PRAYER in C.M.P:

To stay all further proceedings in IDOP No.324 of 2022 on the file of the Family Court, Cuddalore.

For Petitioner : Mr.S.Veeraraghavan

For Respondent : Mr.I.Abrar Mohamed Abdullah



Tr.C.M.P.No.717 of 2025

ORDER

WEB COPY Heard.

2. The present Transfer Civil Miscellaneous Petition is filed by the petitioner/husband seeking withdrawal of IDOP No.83 of 2022 on the file of the Family Court, Villupuram to the file of the Family Court, Cuddalore to be tried along with IDOP No.324 of 2022.

3. The case of the petitioner/husband is that marriage between the petitioner and respondent was solemnized on 07.06.2007 as per Christian rites and customs at St.James Church at Pondi road, Villupuram. They have two male children out of their wedlock. Due to matrimonial dispute, the petitioner/husband filed IDOP No.83 of 2022, seeking divorce, before the Family Court, Villupuram. The respondent/wife has also filed IDOP No.324 of 2022 seeking restitution of conjugal rights before the Family Court, Cuddalore. Further, the respondent/wife has also filed DVAC No.14 of 2022 before the Additional Mahila Court, Cuddalore and the same is pending.



Tr.C.M.P.No.717 of 2025

4. The petitioner would further states that he is presently employed at Mumbai and he is compelled to travel for each hearing which would incur substantial expenditure and further he has to take leave from office for attending the Court.

5. The learned counsel for the respondent has not raised any serious objection in allowing this transfer miscellaneous petition.

6. This Court has considered the pleadings and the circumstances placed. The power under Section 24 C.P.C., is to be exercised to meet the ends of justice and to ensure that the lis is adjudicated without avoidable hardship. In matrimonial matters, the convenience of the parties, the practical difficulty in attending hearings, the stage of the proceedings are relevant considerations. Further, when related proceedings are pending in one place, it is in the interest of justice to avoid multiplicity and ensure effective adjudication by concentrating proceedings before one competent Court.

7. In the present case, it is stated that the respondent/wife has filed matrimonial proceedings at Cuddalore and the petitioner-husband has shown



Tr.C.M.P.No.717 of 2025

reasonable cause for transfer on grounds of hardship and pendency of connected proceedings at Cuddalore. Accordingly, the transfer sought for deserves to be ordered.

8. Accordingly, Tr.C.M.P. No.717 of 2025 is allowed. IDOP No.83 of 2022 on the file of the Family Court, Villupuram is withdrawn and transferred to the file of the Family Court, Cuddalore. The Family Court, Villupuram, shall transmit the entire records to the Family Court, Cuddalore, within three (3) weeks from the date of receipt of a copy of this order and the Family Court, Cuddalore shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. Interim stay granted by this Court on 17.07.2025 shall stand vacated and C.M.P. No.16756 of 2025 is closed. There shall be no order as to costs.

12.01.2026

mfa

Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation: Yes / No



WEB COPY



Tr.C.M.P.No.717 of 2025

To

1. Family Court, Villupuram
2. Family Court, Cuddalore



WEB COPY



Tr.C.M.P.No.717 of 2025

DR. A.D. MARIA CLETE, J

mfa

**Tr.C.M.P.No.717 of 2025
and
CMP No.16756 of 2025**

12.01.2026