



WEB COPY

TR CMP No. 754 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-02-2026

CORAM

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

TR CMP No. 754 of 2025

AND

CMP NO. 17650 OF 2025

Kanagasabapathy
S/o. A.P.Krishnan, No.29, Purathoppu,
Kottakuppam, Vanur, Villupuram

..Petitioner(s)

Vs

Prithi
W/o. Kanagasabapathy, No.54 Saint Rozario
Street, Muthialpet, Pondicherry

..Respondent(s)

TR CMP No. 754 of 2025

To withdraw the proceedings in MOP.No.200/2020 on the file of the Honourable Family Judge Court, Puducherry and transfer the same to Honourable Family Court, Villupuram where the execution petitions vide EP.No.2,3,4/2022 in O.S.No.4/2017 is pending and consequently pass an order to dispose of both the proceedings within a period of one month from the data of order and pass such further or other orders as this Honourable Court

CMP No. 17650 of 2025

To pass an order of interim stay of all further proceedings in MOP.No.200/2020 on the file of the Honourable Family Judge Court, Puducherry, pending disposal of the above Tr.CMP

TR CMP No. 754 of 2025

For Petitioner(s): Mr.Udhayakumar R.

For Respondent(s): No appearance



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Order

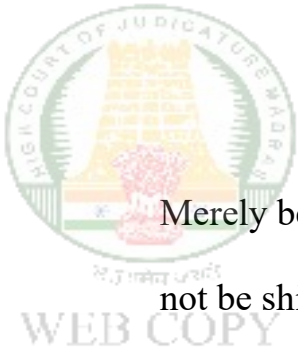
Heard.

2. This Transfer Civil Miscellaneous Petition is filed seeking to withdraw M.O.P.No.200 of 2020 pending on the file of the Family Court, Puducherry, and to transfer the same to the competent Court at Villupuram.

3. The petitioner prayed this Court to transfer M.O.P.No.200 of 2020 from the Family Court, Puducherry to Villupuram, mainly on the ground that an earlier suit at Villupuram ended in a decree based on a mediation agreement and that execution proceedings are pending there.

4. The respondent opposes transfer stating that she lives at Puducherry, she has to take care of the minor daughter and her daily routine, and travelling to Villupuram will cause hardship.

5. A transfer petition is decided on the ends of justice and balance of convenience. The divorce case and the execution proceedings are different in nature. The divorce case concerns the marital status under the statute; execution concerns enforcement of a decree only to the extent it is legally executable.



Merely because an execution is pending at Villupuram, the divorce case need not be shifted, especially when the respondent shows concrete difficulty and child-related constraints.

6. Therefore, the transfer request is not made out and Tr.C.M.P.No. 754 of 2025 is dismissed. This Court makes it clear that it is not expressing any view on the meaning, breach, or executability of the mediation terms or on any issue arising in the execution proceedings. Interim stay granted by this Court on 23.07.2025 shall stand vacated and consequently, connected C.M.P.No.17650 of 2025 is closed. No costs.

24-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

1. Family Judge Court, Puducherry.
2. Family Court, Villupuram.

TR CMP No. 754 of 2





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TR CMP No. 754 of 2



DR.A.D.MARIA CLETE J.

MFA

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