



Tr.CMP.No.882 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2025

CORAM:

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.CMP.No.882 of 2025

and

C.M.P.No.20325 of 2025

P.Siva @ Sivachandiran

... Petitioner

Vs.

Soundarya @ Priyadharshini

... Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw M.C.No.33 of 2025 from the file of the Family Court, Pondicherry and transfer the same to the file of the Family Court, Cuddalore and pass such further or other order.

For Petitioner : Ms.C.N.Prathana
for Ms.S.Janani

For Respondent : No Appearance

ORDER

Heard .



Tr.CMP.No.882 of 2025

2. This Transfer Civil Miscellaneous Petition has been filed under Section 24 of the Code of Civil Procedure, 1908, seeking withdrawal of the case in M.C.No.33 of 2025 pending on the file of the Family Court, Pondicherry, and to transfer the same to the file of the Family Court, Cuddalore District.

3. The petitioner state that the respondent has initiated M.C.No.33 of 2025 before the Family Court, Pondicherry and the petitioner has already filed H.M.O.P.No.213 of 2024 for the Restitution of conjugal rights before the Family Court, Cuddalore .

4. The petitioner states that the respondent has initiated the maintenance proceedings at Puducherry seeking Rs.20,000/- per month thereby compelling the petitioner to make repeated appearances, whereas a connected matrimonial proceeding in H.M.O.P.No.213 of 2024 is already pending before the Family Court, Cuddalore, in which the respondent has entered appearance; the petitioner further pleads that he was allegedly assaulted and threatened on 31.07.2024 by the respondent's brother and another person and a complaint/FIR was registered, and on



Tr.CMP.No.882 of 2025

account of the said incident he has a genuine apprehension of danger to his life and safety if he is compelled to travel to and attend the proceedings at Puducherry; according to him, the respondent could have instituted the proceedings at Cuddalore but has chosen Puducherry only to harass and cause hardship, and therefore the balance of convenience and the ends of justice warrant transfer to Cuddalore.

5. Today, when the matter is taken up for hearing, there is no representation for the respondent. Considering the submissions made by the Learned counsel for the petitioner, this Court is of the view to allow the petition.

6. Accordingly, Tr.C.M.P.No.882 of 2025 is allowed. M.C.No.33 of 2025 on the file of the Family Court, Pondicherry, is withdrawn and transferred to the file of the Family Court, Cuddalore. The Family Court, Pondicherry, shall transmit the entire records to the Family Court, Cuddalore, within three (3) weeks from the date of receipt of this order and the Family Court, Cuddalore shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any



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Tr.CMP.No.882 of 2025

Dr. A.D.MARIA CLETE, J.

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observations made in this order. Interim stay granted by this Court on 20.08.2025 shall stand vacated and C.M.P.No.20325 of 2025 is closed.

There shall be no order as to costs.

06.01.2026

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
kkd

To

1. The Family Court, Pondicherry.
2. The Family Court, Cuddalore.

Tr.CMP.No.882 of 2025