



WEB COPY



TR CMP No. 147 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-07-2026

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

**TR CMP No. 147 of 2026
and CMP No.4943 of 2026**

1. Nivedhitha
D/O. Soundarrajan, No.178/254 LIG, 7th
Street, Thamarai Nagar,
Sriramanashramam, Tiruvannamalai
District.

Petitioner(s)

Vs

1. Poovarasan
S/O. Dineshkumar, No.79/19, Anna Nagar,
4th Street, Tiruvannamalai District.

Respondent(s)

Petition filed under Section 24 of Civil Procedure Code to withdraw FCOP No.13 of 2026 on the file of Family Court, Tiruvannamalai and transfer the same to Sub Court, Kancheepuram.

For Petitioner(s): M/s. S.E. Rajesh Yadav

For Respondent(s): No appearance

ORDER

Despite service of notice on the respondent/husband and the name of the



TR CMP No. 147 01 2020

respondent also being printed in the today's cause list, there is no appearance on the side of the respondent. The respondent is called absent and set exparte. I have proceeded to hear the learned counsel for the petitioner.

2. Learned counsel for the petitioner states that the petitioner has already filed HMOP No.396 of 2025 which is pending before the Sub Court, Kancheepuram, where the relief of dissolution of marriage is sought for. Subsequently, the respondent/husband has initiated HMOP No.13 of 2026 before the Family Court, Tiruvannamalai. The petitioner expresses inconvenience to attend the proceedings on the file of Family Court, Tiruvannamalai and seeks transfer of the proceedings of HMOP No.13 of 2026 to be jointly tried with HMOP No.396 of 2025.

3. I have considered the submissions advanced on the side of the learned counsel for the petitioner and have gone through the affidavit filed in support of the request for transfer.

4. As rightly contended by the learned counsel for the petitioner, the petitioner initiated proceedings for divorce even in the year 2025 in HMOP No.396 of 2025 and the said proceedings are pending before Sub Court, Kancheepuram and much later in HMOP No.13 of 2026, the respondent/husband has chosen to file petition for restitution of conjugal rights before Family Court, Tiruvannamalai.

5. Necessarily both the petitions have to be heard together in order to avoid



TR CMP No. 147 of 2026

conflicting orders and multiplicity of proceedings. Additional, the petitioner is having a custody of a 1 ½ year old male minor child as well and serious inconvenience and prejudice would be caused to the petitioner if she is compelled to travel all the way from Kancheepuram to Tiruvannamalai which is more than 115 kms one way.

6. In the light of the above, Tr.Cm.P.No.147 of 2026 is allowed and the proceedings in FCOP No.13 of 2026 is withdrawn from the file of Family Court, Tiruvannamalai and the same is transferred to Sub Court, Kancheepuram to be jointly tried with HMOP No.396 of 2025.

7. The Family Court, Tiruvannamalai is directed to send the entire records relating to FCOP No.13 of 2026 to the file of Sub Court, Kancheepuram forthwith.

No costs. Consequently, connected miscellaneous petition is closed.

07.07.2026

sr

Index:yes/no

Website:yes/no

Speaking Order/Non-Speaking Order

To

1. The Family Court, Tiruvannamalai
2. The Sub Court, Kancheepuram



WEB COPY



TR CMP No. 147 of 2026

P.B.BALAJI.,J

sr

TR CMP No. 147 of 2026

07.07.2026