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TR CMP No. 611 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-07-2026

CORAM

THE HON'BLE MR.JUSTICE P.B. BALAJI

TR CMP No. 611 of 2026 and
Cmp no.16929 of 2026

Pooja
D/o. Saranathan,
Plot No.6, Lakshmi Nagar,
2nd Main Road Extn,
Chitlapakkam,
Chennai-64.

..Petitioner(s)

Vs

Vinoth Kumar
S/o. Rengarajan,
No.2/1225, Rajarajeswari Nagar,
Madipakkam,
Chennai-91.

..Respondent(s)

prayer: This Transfer Civil Miscellaneous Petition is filed under Section 24 of CPC to withdraw HMOP No. 3373 of 2025 on the file of Principal Family Court at Chennai and Transfer the Same to the file Subordinate Court Tambaram, Chengalpattu District.

For Petitioner(s): Mr. S.L.Venkatesan

For Respondent(s): Mr.M.S.Ram Prasad



ORDER

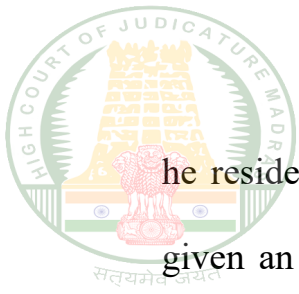
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This Transfer Civil Miscellaneous Petition has been filed to withdraw HMOP No. 3373 of 2025 on the file of Principal Family Court at Chennai and Transfer the Same to the file Subordinate Court Tambaram, Chengalpattu District.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

3. The learned counsel for the petitioner/wife states that the petitioner has filed HMOP no.107 of 2026 before the Sub Court, Tambaram and it is at the stage of completion of pleadings. The learned counsel for the petitioner would further state that the respondent's divorce petition is pending in HMOP No.3373 of 2025 on the file of Principal Family Court, Chennai and hence, the petitioner wife has taken out this present transfer petition seeking joint trial of both the proceedings.

4. The learned counsel for the respondent/husband would firstly contend that it was the respondent, who first approached the court and filed divorce petition in HMOP No.3373 of 2025 before the Family Court, Chennai, though



he resides at Madurai. It is his further contention that the petitioner/wife has given an incorrect and false address of the respondent, in order to invoke the jurisdiction of the court.

5. In any event, today, it is an admitted fact that one petition for restitution of conjugal rights filed by the petitioner/wife and another petition seeking divorce filed by the respondent/husband are pending in HMOP No.3373 of 2025 and HMOP No.107 of 2026 respectively. In order to avoid conflicting orders as well as the multiplicity of proceedings, it would be desirable to both the parties that both proceedings to be tried and disposed of together.

6. Considering the above, I am inclined to allow this transfer civil miscellaneous petition with the following directions:-

i) HMOP No.3373 of 2025 is withdrawn from the file of Principal Family Court, Chennai and transferred the same to the file of Sub Court, Tambaram to be jointly tried along with HMOP No.107 of 2026.

ii) In HMOP No.107 of 2026, the Sub Court Tambaram shall ensure completion of pleadings by 30.09.2026.

iii) Evidence shall be recorded in HMOP No.3373 of 2025, where, trial has already commenced.



iv) The respondent/husband shall file Additional Proof affidavit in order to cover the averments and allegations and counter allegations in HMOP No.107 of 2026.

v) The presence of the respondent/husband shall not be ordinarily insisted by the Sub Court, Tambaram.

vi) On completion of pleadings in HMOP No.107 of 2026, the Sub Court, Tambaram shall jointly tried HMOP No.3373 of 2025 and HMOP No.107 of 2026.

vii) The Principal Family Court, Chennai is directed to send the entire records with regard to HMOP No.3373 of 2025 to the Sub Court, Tambaram, forthwith.

There shall be no order as to costs. Connected miscellaneous petition is closed.

27-07-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MST

To

1. The Principal Family Court, Chennai.

2. The Sub Court, Tambaram.



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P.B.BALAJI, J.

MST

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