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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR.CMP.NO.442 OF 2021

AND

CMP.NO.11639 OF 2021

P.Pooja

..Petitioner

Vs.

V.Kishor Kumar

..Respondent

Prayer: Transfer civil miscellaneous petition filed under Section 24 of CPC, seeking to withdraw HMOP.No.05 of 2021 on the file of the Family Court, Tiruchirapalli and transfer the same to the IV-Additional Family Court, Chennai.

For Petitioner : Mr.C.Karthik

For Respondent : Mr.P.Ravishankar Rao

ORDER

The petitioner / wife seeks transfer of HMOP.No.05 of 2021 on the file of the Family Court, Tiruchirapalli to the IV-Additional Family Court, Chennai to be tried along with HMOP.No.1852 of 2021 pending on its file. While the husband seeks divorce, the wife seeks restitution. Both these petitions will have to be heard together as there is a strong possibility of conflicting verdicts, if they are tried seperately.

2.The learned counsel appearing for the husband would however, submit that if HMOP.No.5 of 2021 pending before the Family Court, Trichy is transferred to the Family Court, Chennai, the husband will be put to a lot of inconvenience as he will have to appear in person for every hearing before the Family Court at Chennai. I find considerable force in the



submission of the learned counsel for the husband, I am therefore, of the opinion that both HMOPs can be transferred to a Court, where appearance of the parties is not required for every hearing.

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3.Hence, HMOP.No.5 of 2021 on the file of the Family Court, Tiruchirapalli and HMOP.No.1852 of 2021 on the file of the IV-Additional Family Court, Chennai are withdrawn and transferred to the Sub-Court, Alandur to be tried and disposed of in accordance with law.

4.This transfer civil miscellaneous petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

kkn

To:-

1. The Family Court,
Tiruchirapalli.
2. The IV-Additional Family Court,
Chennai.
3. The Sub-Court,
Alandur.

+1cc to Mr.C.Karthik, Advocate, S.R.No.66675

+1cc to Mr.P.Ravishankar Rao, Advocate, S.R.No.67138

Tr.CMP.No.442 of 2021
and
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GSM(CO)
RLP(04/01/2022)