



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR.CMP.NO.559 OF 2021

AND

C.M.P.NO.14586 OF 2021

M.P.Poornima

... Petitioner

.Vs.

K.Myilmurugan

... Respondent

PRAYER:-

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw H.M.O.P. No.121 of 2021 on the file of Family Court, Salem and transfer the same to the file of Sub Court, Arakkonam to be heard along with H.M.O.P. No.112 of 2021, pending on its file.

For Petitioner : Mr.M.Rajeev Gandhi
For Mr.S.Kaithamalai Kumaran

For Respondent : No appearance

O R D E R

Despite service, the respondent/husband has not chosen to appear before this Court either in person or through counsel duly instructed.

2. The petitioner/wife seeks transfer of H.M.O.P.No.121 of 2021 filed by the husband on the file of Family Court, Salem to the Sub Court, Arakkonam to be tried along with H.M.O.P.No.112 of 2021 filed by her.

3. While the husband seeks divorce, the wife seeks restitution of conjugal rights. If these two petitions are allowed to be proceeded with in two different Courts, there is a strong possibility of conflicting judicial verdicts. Considering the convenience of the wife, H.M.O.P.No.121 of 2021



is withdrawn from the Family Court, Salem and transferred to the file of the Sub Court, Arakkonam to be tried along with H.M.O.P.No.112 of 2021, pending on its file. The Transfer CMP is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vum

To

1. The Family Court,
Salem.
2. The Sub Court,
Arakkonam.

+1cc to Mr.S.Kaithamalai Kumaran, Advocate, S.R.No.62787

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C.M.P.NO.14586 OF 2021

NK(CO)
PBS/11/01/2022