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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR CMP No.579 of 2021
and
CMP No.14929 of 2021

K.Kokila		...Petitioner/Respondent
	Vs	
P.Rajesh		...Respondent/Petitioner

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, pleased to withdraw H.M.O.P.No.138 of 2021 from the file of the Family Court at Cuddalore and transfer the same to the file of Principal Sub Court at Virudhachalam to be tried along with H.M.O.P.No.74 of 2021.

For Petitioner : Mr.V.Ayyapparaja

For Respondent : No Appearance

O R D E R

The petitioner wife seeks transfer of HMOP.No.138 of 2021 on the file of the Family Court, Cuddalore to Principal Sub Court, Virudhachalam to be tried along with HMOP.No.74 of 2021.

2.While HMOP.No.138 of 2021 has been filed by the husband seeking divorce, HMOP.No.74 of 2021 has been filed by the wife seeking restitution of conjugal rights. If these proceedings are allowed to be tried in different Courts, there is a possibility of there being conflicting judicial verdicts.

3.In view of the above, and taking into consideration the convenience of the wife, who is resident of Virudhachalam, HMOP.No.138 of 2021 on the file of the Family Court, Cuddalore is withdrawn and transferred to Sub Court, Virudhachalam to be tried and disposed of and in accordance with law along with HMOP.No.74 of 2021 pending on the file of the Sub Court,



Virudhachalam. The Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

vs

To

1. The Judge,
The Family Court,
Cuddalore.
2. The Judge,
The Sub Court,
Virudhachalam.

+1cc to M/s.R.Bharathkumar, Advocate, S.R.No.65568

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KSM(CO)
RGA (22/12/2021)