



TR.CMP.No.480 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

TR.CMP.No.480 of 2022
and CMP.No.8624 of 2022

Lakshmi Priya

... Petitioner

VS

Senthilkumar

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, praying to withdraw the H.M.O.P.No.97 of 2022 on the file of the learned Family Court, Puducherry and transfer the same to the file of the learned Family Court, Cuddalore to be tried jointly along with HMOP.No.139 of 2022.

For Petitioner : Mr.P.Suresh Babu
For Respondent : No appearance

ORDER

The petitioner/wife has come up with this transfer Civil Miscellaneous Petition, seeking transfer of the petition for restitution of conjugal right filed by the respondent/husband in HMOP.No.97 of 2022 on the file of Family Court, Puducherry, to the file of Family Court, Cuddalore, for joint trial along with the petition for divorce filed by the petitioner/wife in



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HMOP.No.139 of 2022.

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2. According to the petitioner/wife, she is residing at Chinna Karaikadu, within the territorial limits of Cuddalore. Admittedly, the respondent filed the petition for restitution of conjugal right before the Family Court, Puducherry and the petitioner herein filed the petition for divorce before the Family Court, Cuddalore. If these two proceedings initiated by the petitioner and respondent are allowed to go on separately, there is every likelihood of conflict of judicial verdicts. Therefore, in the interest of justice, both the cases have to be clubbed together.

3. By taking into consideration of the facts and circumstances of the case and convenience of the wife, this Court is inclined to order the above transfer application.

4. Accordingly, the transfer Civil Miscellaneous petition is allowed by withdrawing the HMOP.No.97 of 2022, from the file of Family Court, Puducherry and transferring the same to the file of Family Court, Cuddalore, for joint trial, along with the petition for divorce filed by the petitioner/wife



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in HMOP.No.139 of 2022. No costs. Consequently, connected miscellaneous

petition is closed.

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Index : Yes / No

Internet : Yes / No

Speaking Order : Yes / No

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To

1.The Family Court, Puducherry.

2.The Family Court, Cuddalore.



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S.SOUNTHAR, J.

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