



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR.CMP No.690 of 2021

and

C.M.P.No.17075 of 2021

S.Bagyalakshmi

... Petitioner

-Vs-

R.Logesh

... Respondent

Prayer : Transfer Civil Miscellaneous Petition under Section 24 of C.P.C., to withdraw HMOP No.09 of 2020 from the file of Subordinate Court at Ponneri and transfer the same to the Family Court, Chengalpattu to be tried along with FCOP No.146 of 2020 on the file of the Family Court, Chengalpattu.

For Petitioner : Ms.N.Indra Priyadarshini

For Respondent : No appearance

ORDER

Despite service, the respondent is not appearing either in person or through counsel duly instructed.

2. The petitioner/wife seeks transfer of H.M.O.P.No.09 of 2020 on the file of Subordinate Court at Ponneri to the Family Court at Chengalpattu to be tried along with FCOP No.146 of 2020. While the proceedings before the Sub Court, Ponneri has been filed by the husband seeking dissolution of marriage, the wife had sought for restitution of conjugal rights in F.C.O.P.No.146 of 2020 before the Family Court at Chennai. If these proceedings are allowed to be carried on in different Courts, there is a chance of there being conflicting judicial verdicts. It is also seen from records that the wife is the resident of Guduvanchery. The conduct of the proceedings at Sub Court, Ponneri would cause inconvenience to her.

3. In view of the same, H.M.O.P.No.09 of 2020 is withdrawn from the file of the Subordinate Court, Ponneri and transferred to the file of Family Court, Chengalpattu to be tried along with FCOP No.146 of 2020 pending on its file, to be disposed of in



accordance with law. Accordingly, the Tr.C.M.P.No.690 of 2021 is allowed. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

KST

To

1.The Subordinate Judge, Ponneri

2.The Judge, Family Court,
Chengalpattu

+1cc to Mr.C.Arun Kumar, Advocate, S.R.No.6576

TR.CMP No.690 of 2021
and CMP No.17075 of 2021

PMK (CO)
SB(16/02/2022)