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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR.C.M.P.NO.826 OF 2021

AND

C.M.P.NO.19064 OF 2021

S.Sakthiraj

.. Petitioner

Vs.

Anusudha

.. Respondent

PRAYER:

Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure, praying to direct that the HMOP.No.700 of 2019 filed by the petitioner husband pending on the file of the Sub-Court, Tambaram, Chennai be withdrawn, and transferred to be tried along with the HMOP.No.27 of 2021, filed by the respondent wife, pending on the file of the Subordinate Judge Alandur, Chennai for joint trial of both the petitions, proper adjudication in accordance with law, within the stipulated time by this Court.

For Petitioner : Mr.A.S.Palanisamy

For Respondent : Mr.S.Prabhu

O R D E R

The petitioner seeks transfer of HMOP.No.700 of 2019 filed by him on the file of Sub-Court, Tambaram seeking divorce to Sub-Court, Alandur to be tried along with HMOP.No.27 of 2021 filed by the wife seeking restitution of conjugal rights.

2. If these two proceedings are allowed to be tried by different Courts, there is a possibility of conflicting judicial verdicts. Considering the fact that the wife has chosen to invoke jurisdiction of Sub-Court, Alandur, I find that it is a fit case where the HMOP.No.700 of 2019 pending on the file of the Sub-Court, Tambaram should be transferred to Sub-Court, Alandur.



3. Hence, the Transfer Civil Miscellaneous Petition is allowed and HMOP.No.700 of 2019 on the file of the Sub-Court, Tambaram is withdrawn and transferred to the Sub-Court, Alandur to be tried along with HMOP.No.27 of 2021 pending before it. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

dsa

To

1. The Subordinate Judge, Tambaram.
2. The Subordinate Judge, Alandur.

+1cc to Mr.A.S.Palanisamy, Advocate, S.R.No.828

Tr.C.M.P.No.826 of 2021

KSM(CO)
PM/20/01/2022