



Tr.C.M.P.No.55 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2023

CORAM:

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Tr.C.M.P.No.55 of 2023

and

C.M.P.No.1502 of 2023

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... Petitioner

Vs.

K.Vasudevan

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, 1908, praying to withdraw the H.M.O.P.No.595 of 2022 from the file of the Court of Family Judge of Salem and transfer the same to the file of Additional Principal Family Judge, Coimbatore to try along with H.M.O.P.No.1444 of 2022 on the file of Additional Principal Family Judge, Coimbatore for joint trial and speedy disposal of the same.

For Petitioner : Ms.N.Sangeetha

For Respondent : Mr.A.Sakthivel



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ORDER

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The present Transfer Civil Miscellaneous Petition is filed to withdraw the H.M.O.P.No.595 of 2022 from the file of the Court of Family Judge, Salem and transfer the same to the file of Additional Principal Family Judge Coimbatore to try along with H.M.O.P.No.1444 of 2022 on the file of Additional Principal Family Judge Coimbatore for joint Trial and speedy disposal.

2. The petitioner/Wife has filed H.M.O.P.No.1444 of 2022 before the Additional Principal Family Judge, Coimbatore, which is in the stage of filing counter. The respondent/Husband has filed H.M.O.P.No.595 of 2022 before the Family Judge, Salem for restitution of conjugal rights.

3. Admittedly, both the parties have no issues. The learned counsel for the petitioner would submit that the petitioner is also earning and she was unable to avail leave on all hearing dates, therefore, she wants to transfer the HMOP.No.595 of 2022 to the file of Family Judge, Coimbatore for joint Trial.



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4. The learned counsel for the respondent/husband submitted that he has raised serious objections stating that the distance between the Salem and Coimbatore is faraway and he has to travel for more than 3 1/2 hours and seeks to dismiss the aforesaid transfer petition.

5. Accordingly, the Transfer Civil Miscellaneous Petition is allowed. The Trial Court, Salem is directed to withdraw and transfer the entire case records within a period of two weeks from the date of receipt of a copy of this order to the file of Family Court, Coimbatore. The Family Court, Coimbatore is directed to give notice to both the counsel before taking the HMOP's on file. No costs. Consequently, connected miscellaneous petition is closed.

05.04.2023

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
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- To
- 1.The Family Court,
Salem.
 - 2.The Additional Principal Family Judge,
Coimbatore.



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T.V.THAMILSELVI, J.

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