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Tr.C.M.P.No.87 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30..08..2024

Coram

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P. No.87 of 2024

and

C.M.P.No.2138 of 2024

Tamilarasi

..... Petitioner

-Versus-

T.Eswaran

..... Respondent

Petition filed under Section 24 of the Code of Civil Procedure,1908, praying to withdraw the case in H.M.O.P.No.108 of 2022 pending on the file of the Subordinate Judge, Ranipet, and transfer the same to the file of the Subordinate Judge, Tirutani, to be tried along with H.M.O.P.No.97 of 2022 pending on the file of the Subordinate Judge, Tirutani.

For Petitioner : *Mr.Pragadesh for*
Mr.S.Kaithamalai Kumaran

For Respondent : *Mr.L.Ram Kumar*



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ORDER

This Transfer Miscellaneous Petition is at the instance of the wife. She married the respondent on 25.05.2018. From the wedlock, there are two children who are aged about 3 years today. The husband initiated H.M.O.P.No.108 of 2022 on the file of the learned Subordinate Judge, Ranipet, for divorce. The wife has initiated a proceedings in H.M.O.P.No.97 of 2022 on the file of the Subordinate Judge, Tiruttani, for restitution conjugal rights. She pleads that she is unable to travel with the minors to attend the court hearing and that she does not have support at Ranipet.

2. Notice was ordered on the application and Mr.L.Ram Kumar represents the respondent/husband.

3. One being proceedings for divorce and the other being restitution of conjugal rights, to avoid conflicting judgements, it is fit that the proceedings are to be tried together by one court. It would be difficult for the wife who seems to be a resident of R.K.Pet to travel to Ranipet, for every hearing. She would plead that Tiruttani, is closer to her residence.

4. Taking into consideration over all circumstances, the transfer petition is accepted. H.M.O.P.No.108 of 2022 pending on the file of the learned Subordinate Judge, Ranipet, is withdrawn and transferred to the file of the learned Subordinate Judge, Tiruttani, to be heard and decided along with



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H.M.O.P.No.97 of 2022.

WEB COPY The Transfer Original Petition is allowed accordingly with the above directions. No costs. Consequently, connected CMP is closed.

Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order
kmk

30..08..2024

To

- 1.The Subordinate Judge, Ranipet, Vellore District [now Arakonam Revenue District].
- 2.The Subordinate Judge, Tirutani, Tiruvallur District.



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V.LAKSHMINARAYANAN.J.,

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