



WEB COPY



Tr.C.M.P.No.215 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2024

CORAM :

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P.No.215 of 2024
and C.M.P.No.4243 of 2024

P.Sowmiya Sree

.. Petitioner

Versus

K.Saravanan

.. Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw O.P.No.480 of 2023 pending on the file of the Sub-Court, Alandur and transfer the same to Family Court, Coimbatore.

For Petitioner : Mr.K.Balasubramaniam

For Respondent : Ms.S.Shanthi

ORDER

The petitioner is the wife. She is a permanent resident of Coimbatore. The respondent/husband initiated O.P.No.480 of 2023 on the file of the Sub-Court at Alandur. The wife already initiated proceedings in H.M.O.P.No.126 of 2023 on the file of the Family Court at Coimbatore as well as M.C.No.58 of 2023 on the file of the very same Court. On service



Tr.C.M.P.No.215 of 2024

WEB COPY

of summons in the proceedings initiated by the husband, the wife moved this Transfer Civil Miscellaneous Petition.

2. The proceedings in H.M.O.P.No.126 of 2023 is one for judicial separation and the proceedings in O.P.No.480 of 2023 is one for restitution of conjugal rights. Interest of justice requires that both the proceedings should be tried together. Consequently, O.P.No.480 of 2023 which was initiated subsequent to H.M.O.P.No.126 of 2023 is withdrawn and transferred to the file of the Family Court, Coimbatore. The learned Family Judge at Coimbatore shall try H.M.O.P.No.126 of 2023, M.C.No.58 of 2023 and O.P.No.480 of 2023 together.

3. Considering that the respondent/husband, who tendered no objection for transfer, is said to be working in Cognizant Technologies at Chennai, he need not to appear for every hearing before the Family Court, Coimbatore. He shall be represented by a Counsel on all hearing dates. On hearing dates in which his presence is essential, he shall present himself.



Tr.C.M.P.No.215 of 2024

WEB COPY

4. With the above directions regarding appearance of the respondent/husband, this Transfer Civil Miscellaneous Petition is allowed.

No costs. Consequently, connected miscellaneous petition is closed.

18.10.2024

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To

1. The Sub-Court,
Alandur.
2. The Family Court,
Coimbatore.



WEB COPY



Tr.C.M.P.No.215 of 2024

V.LAKSHMINARAYANAN, J.

grs

Tr.C.M.P.No.215 of 2024
and C.M.P.No.4243 of 2024

18.10.2024