



Tr.CMP.No.287 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.287 of 2023

and

C.M.P.No.6276 of 2023

R.Saranya

.. Petitioner

Vs.

S.Senthilkumar

.. Respondent

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, to withdraw the H.M.O.P.No.9 of 2023 pending on the file of the Subordinate Court, Paramathi, Namakkal District and transfer the same to the Family Court, Erode.

For Petitioner : Mr.R.Prabakar

For Respondent : Served, No Appearance

ORDER

The respondent/husband has presented an application in H.M.O.P.No.9 of 2023 to the file of the learned Subordinate judge at Paramathi in Namakkal District. Hence, this transfer petition has been filed



Tr.CMP.No.287 of 2023

by the petitioner/wife to transfer the case from the file of the learned Subordinate judge at Paramathi to the file of the Family Court at Erode.

2. The husband has been served, but he had not entered appearance. The learned counsel for the petitioner points out that she has initiated a divorce petition in F.C.O.P.No.667 of 2023 on the file of the Family Court at Erode.

3. The proceedings also show that the husband has been attending hearings there and the matter is now listed for hearing on 19.04.2024. Since the parties are already before the Court at Erode and to avoid possibility of conflicting judgments, it is better that the divorce proceeding and the restitution of conjugal rights proceeding are tried together.

4. Therefore, H.M.O.P.No.9 of 2023 is withdrawn from the file of the learned Subordinate Judge at Paramathi and it shall stand transferred to the file of the Family Court at Erode, where it shall be heard and tried along with F.C.O.P.No.667 of 2023.



Tr.CMP.No.287 of 2023

5. Accordingly, this Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

08.04.2024

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No

To

1.The Subordinate Court,
Paramathi, Namakkal District

2.The Family Court,
Erode



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Tr.CMP.No.287 of 2023

V. LAKSHMINARAYANAN, J.

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Tr.CMP.No.287 of 2023

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