



Tr.CMP.No.413 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 23.04.2024**

CORAM

**THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

**Tr.CMP.No.413 of 2023**

**and**

**C.M.P.No.9112 of 2023**

Kalaiyarasi

.. Petitioner

Vs.

Arunpandiyan

.. Respondent

**Prayer** : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in H.M.O.P.No.61 of 2022 from the file of the learned Subordinate Judge at Kumbakonam and to transfer the same to the file of the learned Family Judge at Perambalur.

For Petitioner : Mr.T.S.Rajeev Gandhi

For Respondent : Served, No Appearance

**ORDER**



*Tr.CMP.No.413 of 2023*

The respondent/husband has initiated a proceeding in H.M.O.P.No.61 of 2022 seeking divorce. The petitioner/wife has also filed a proceeding in O.P.No.18 of 2023 on the file of the Family Court at Perambalur for the purpose of restitution of conjugal rights.

2. From the wedlock between two of them, a child was born, who is aged about 4 and a half years today.

3. Considering the inconvenience caused to the wife, I am inclined to allow this transfer petition. Hence, the proceeding in H.M.O.P.No.61 of 2022 is withdrawn from the file of the Sub Court at Kumbakonam and it shall stand transferred to the file of the Family Court at Perambalur to be heard and tried along with O.P.No.18 of 2023 in order to avoid conflict of judgments.

4. It is sufficient if the husband appears only for the essential hearings. For all other non-essential and procedural hearings, he may be represented by a counsel.



*Tr.CMP.No.413 of 2023*

5. Accordingly, the Transfer Civil Miscellaneous Petition stands  
allowed. No costs. The connected Civil Miscellaneous Petition is closed.

**23.04.2024**

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No



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*Tr.CMP.No.413 of 2023*

**V. LAKSHMINARAYANAN, J.**

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To

1.The Sub Court,  
Kumbakonam

2.The Family Court,  
Perambalur

**Tr.CMP.No.413 of 2023**

**and**

**C.M.P.No.9112 of 2023**

**23.04.2024**