



WEB COPY



Tr.C.M.P.No.435 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2024

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

Tr.C.M.P.No.435 of 2023

and

C.M.P.No.9638 of 2023

Sindhuja

... Petitioner

Vs

Vignesh

... Respondent

Prayer : Petition filed under Section 24 of the Code of Civil Procedure praying to withdraw H.M.O.P.No.117 of 2022 from the file of the Principal Sub Court, Hosur and transfer the same to the Sub Court, Harur.

For Petitioner : Mr.J.Pradeep

For Respondent : Served - No appearance

ORDER

The petitioner is the wife. She seeks transfer of H.M.O.P.No.117 of 2022 from the file of the Principal Subordinate Judge at Hosur to the file of Sub Judge, Harur.



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2. The wife had already initiated proceedings for divorce in H.M.O.P.No.93 of 2021 before the Subordinate Judge at Harur. After having filed a counter in the said proceeding, the husband has filed a petition for restitution of conjugal rights before the Principal Subordinate Judge at Hosur. This only seems to be a counter blast petition for divorce filed by the wife.

3. To avoid conflicting judgments, it is better both be tried by the same Court. The wife, having approached the court first gets precedence regarding the place of trial for both the petitions. Consequently, H.M.O.P.No.117 of 2022 on the file of the Principal Subordinate Judge, Hosur is withdrawn and transferred to the Subordinate Court at Harur to be heard and tried along with H.M.O.P.No.93 of 2021.

4. Accordingly, the Tr.C.M.P. stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

05.04.2024

Index : Yes/No
Neutral Citation : Yes/No
Sgl



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WEB COPY To

- 1.The Principal Subordinate Court,
Hosur.
- 2.The Subordinate Court,
Harur.



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V. LAKSHMINARAYANAN, J.

Sgl

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