



Tr.C.M.P.No.527 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2024

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

Tr.C.M.P.No.527 of 2023 and
C.M.P.No.12390 of 2023

Bhuvaneshwari

... Petitioner

Vs

Sathyakumar

... Respondent

Prayer : Petition filed under Section 24 of the Code of Civil Procedure praying to withdraw the H.M.O.P.No.132 of 2021 from the file of the Hon'ble Sub Court, Harur and transfer the same to the Sub Court, Uthangarai, Krishnagiri District.

For Petitioner : Mr.J.Pradeep

For Respondent : Served – No appearance

ORDER

This petition seeks to withdraw H.M.O.P.No.132 of 2021 on the file of the Sub Court at Harur and to transfer the same to the file of the Sub Court at Uthangarai.

2. H.M.O.P.No.132 of 2021 has been filed by the husband seeking divorce. The wife has filed H.M.O.P.No.131 of 2021 seeking restitution of conjugal rights before the Sub Court at Uthangarai. There is a possibility of conflicting judgments because the issues involved in both



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cases are one and the same, and therefore, should be tried by the same

Court.

3. Notice was ordered in this application on 22.06.2023. The respondent was served on 25.07.2023 and he has not chosen to enter appearance or oppose the application in person.

4. Taking into consideration the difficulties expressed by the wife in travelling from Uthangarai to Harur, and also in order to avoid any conflict of judgments, H.M.O.P.No.132 of 2021 on the file of the Sub Court, Harur is withdrawn and transferred to the file of the Sub Court at Uthangarai to be heard and disposed of along with H.M.O.P.No.131 of 2021 on the file of the same Court.

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

23.04.2024

Index : Yes/No

Neutral Citation : Yes/No

Sgl

To



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WEB COPY

1.The Sub Court,
Harur.

2.The Sub Court,
Uthangarai.



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V. LAKSHMINARAYANAN, J.

Sgl

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