



WEB COPY



Tr.CMP.No.854 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2024

Coram

THE HON'BLE MR JUSTICE V. LAKSHMINARAYANAN

Tr.CMP No.854 of 2023

and

CMP.No.20426 of 2023

Abirami

... Petitioner

-Versus-

Arun Kumar

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C. seeking to withdraw the HMOP.No.11 of 2022 on the file of the Sub Court, Panruti and transfer the same to the file of the Sub Court, Neyveli and may be tried along with HMOP.No.25 of 2022 on the file of the Sub Court, Neyveli.

For Petitioner : Mr.V.Rajesh Babu

For Respondent : No appearance

ORDER

The marriage between the petitioner and the respondent was solemnized on 31.08.2020. Thereafter due to disputes and differences, they were separated. The petitioner is residing at Melakolakudi Village in Cuddalore District. The respondent/husband is a resident of Sarathur Village in Panruti.



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2. The respondent/husband has initiated divorce proceedings in HMOP.No.11 of 2022 on the file of the Sub Court at Panruti. Subsequently, the wife has initiated proceedings in HMOP.No.25 of 2022 for restitution of conjugal rights on the file of the Sub court at Neyveli. She pleads that she is unable to travel from Melakolakudi Village to Panruti.

3. Notice was ordered in the application. The respondent has been served. Despite service, he neither entered appearance through a counsel nor appeared in person to oppose the petition.

4. Taking into consideration that there must not be a conflict of judgments that might be passed by the courts in Panruti and Neyveli. HMOP.No.11 of 2021 is withdrawn from the file of the Sub Court at Panruti and is transferred to the file of the Sub Court at Neyveli to be heard and tried along with HMOP.No.25 of 2022 which is pending on the file of the Sub Court at Neyveli.

5. With the above direction, this transfer civil miscellaneous petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

11.06.2024

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Index : Yes/No
Speaking Order/Non-speaking order



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Neutral Citation : yes/No

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To

- 1.The Sub Court, Neyveli
- 2.The Sub Court Panruti



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V.LAKSHMINARAYANAN, J.

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