



Tr.C.M.P.No.1023 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P.No.1023 of 2023 and
C.M.P.No.24692 of 2024

G.Ramya

..

Petitioner

Vs.

Gunasekaran

..

Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, to withdraw the H.M.O.P.No.416/2023 on the file of the Hon'ble Family Court Karur and transfer the same and tried along with H.M.O.P.No.191 of 2023 on the file of the Hon'ble Family Court, Perambalur.

For Petitioner : Mr.K.Sanjayan

For Respondents : Mr.B.Mahendra Naidu



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ORDER

This Transfer Petition seeks for the withdrawal of H.M.O.P 416 of 2023 on the file of the Family Court at Karur and transfer the same to the file of the Family Court at Perambalur to be tried along with H.M.O.P No. 191 of 2023.

2. The transfer petitioner is the wife. There is no dispute regarding the relationship between the parties. The petitioner solemnized her marriage with the respondent on 22-03-2020 at Arulmighu Thandhoni Eswaran Koil, Kalpadi, Perambalur District. Thereafter, the parties set up their matrimonial home in Karur.

3. Due to the disputes and differences, the transfer petitioner returned to her maternal home. Alleging cruelty, the respondent filed H.M.O.P No. 416 of 2023 before the Family Court at Karur. Simultaneously, the wife had initiated a petition before the Family Court at Perambalur seeking for restitution of conjugal rights in H.M.O.P 191



4. Pleading that the distance between the Perambalur and Karur is more than 220 kilometres and that she does not have any support to undertake this travel, she has moved this transfer petition.

5. When this transfer petition came up for admission, notice was ordered to the respondent. Mr.M.Bharath entered appearance for the respondent. He tenders "no objection" for the transfer of proceedings from Karur to Perambalur.

6. Apart from the no objection, I notice that one is a petition for divorce and the other is a petition for restitution of conjugal rights. Interest of justice requires that both the proceedings have to be heard by one learned judge. In addition, the wife is finding it difficult to travel from Perambalur to Karur.



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7. Taking into consideration the convenience of the wife, H.M.O.P 416 of 2023 is withdrawn from the file of the Family Court at Karur and transferred to the file of the Family Court at Peramablur. The learned family Judge at Perambalur shall club H.M.O.P No. 191 of 2023 pending on his file along with H.M.O.P.No. 416 of 2023 on the receipt of the records and dispose of the same by a common Judgment.

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

27.11.2024

Index:Yes/No
Internet:Yes/No
Neutral Citation:Yes/No
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To

1. The Family Court, Karur.
2. The Family Court, Perambalur.



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V.LAKSHMINARAYANAN,J.

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