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Tr.C.M.P.No.1083 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P.No.1083 of 2023

and

C.M.P.No.25996 of 2023

Kiruthiga Babu

.. Petitioner

Vs.

Vijay Krishana Narayanan,

Rep. by his father Power Agent Narayanan

.. Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw H.M.O.P.No.114 of 2023 pending on the file of the Learned Subordinate Court, Tambaram and transfer the same to Subordinate Court, Omalur and try the same along with H.M.O.P.No.13 of 2023 pending on the file of the Learned Subordinate Court, Omalur.

For Petitioner : M/s.D.Lakshmipathy

For Respondent : Ms.R.Uma Gopalakrishnan



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ORDER

The petitioner / wife filed this petition seeking to withdraw H.M.O.P.No.114 of 2023 pending on the file of the Sub Court, Tambaram and transfer the same to the Sub Court, Omalur.

2.The petitioner and the respondent entered into matrimony on 03.03.2021 at Thirumalaivaivayavur, Madhuranthagam, Chengalpattu District. After the wedding, serious disputes have arisen between the parties. The husband alleges that the wife is not interested in matrimonial life. Stating that as a cause of action, he has initiated divorce proceedings before the Sub Court at Tambaram in H.M.O.P.No.114 of 2023. The petitioner / wife has initiated proceedings for restitution of conjugal rights before the Sub Court at Omalur in H.M.O.P.No.13 of 2023. She has also filed a petition for maintenance before the learned Magistrate at Omalur in M.C.NO.10 of 2023. As proceedings are pending before the Courts at Omalur, in fitness of things, there should be no conflict of judgments between two Courts, one at Omalur and other at Tambaram.

3.Taking into consideration the interest of petitioner / wife,



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H.M.O.P.No.114 of 2023 pending on the file of the Sub Court at Tambaram is withdrawn and transferred to be tried along with H.M.O.P.No.13 of 2023 pending on the file of the Sub Court at Omalur.

4.With the above direction, this Transfer Civil Miscellaneous Petition is allowed. Consequently, the connected Miscellaneous Petition is closed. No costs.

28.06.2024

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

To

- 1.The Sub Court,
Tambaram.
- 2.The Sub Court,
Omalur.

V.LAKSHMINARAYANAN, J.



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