



TR CMP(MD)No.365 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**TR CMP(MD)No.365 of 2024
and
C.M.P.(MD)No.7888 of 2024**

R.Yasodha ... Petitioner/Respondent

vs.

C.Vignesh ... Respondent/ Petitioner

Prayer:- Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw and withdraw the case in HMOP No.69 of 2024 on the file of the learned Sub Court, Aruppukottai and transfer the same to the learned Family Court, Nagercoil.

For Petitioner : Mr.N.Kamesh

For Respondent : Mr.M.Jothi Basu

ORDER

The petitioner/wife has filed the present Transfer Civil Miscellaneous Petition is to withdraw the case in HMOP No.69 of 2024 from the file of the Sub Court, Aruppukottai, to the file of the



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Family Court, Nagercoil.

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2.Before the Family Court, Nagercoil, the petitioner/wife has already filed HMOP No.942 of 2023 and O.S.No.29 of 2024. All these matters have to be tried together.

3.The learned counsel for the respondent opposes the application on the ground that the multiple proceedings are unnecessarily instituted by the wife.

4.Be that as it may, when the proceedings are between the same parties, and when hardship is expressed by the petitioner wife, the transfer civil miscellaneous petition can be allowed accordingly. The HMOP No.69 of 2024 on the file of the Sub Court, Aruppukottai, is withdrawn and transferred to the file of the Family Court, Nagercoil to be tried along with HMOP No.942 of 2023 and O.S.No.29 of 2024.



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5.This Transfer Civil Miscellaneous Petition is allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

09.07.2024

NCC : Yes / No
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To

- 1.The Sub Court, Aruppukottai.
- 2.The Family Court, Nagercoil.



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D.BHARATHA CHAKRAVARTHY, J.

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