



Tr.C.M.P.No.46 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **28.01.2025**

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

Tr.C.M.P.No.46 of 2025
& C.M.P.No.947 of 2025

R.Anurekha

.. Petitioner

Vs

S.Jeevagan

.. Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the C.P.C., to withdraw the case in F.C.O.P.No.3561 of 2024 from the file of the learned V Additional Family Court, Chennai and transfer the same to the file of the learned III Additional Family Court, Chennai, to be tried along with the cause of action in F.C.O.P.No.5541 of 2023.

For Petitioner : Mr.M.Jagadheesan

For Respondent : Mr.V.Samuthira Vijayan



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ORDER

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This transfer petition is at the instance of the wife. She seeks withdrawal of F.C.O.P.No.3561 of 2024 from the file of the learned V Additional Family Court, Chennai and transfer the same to the file of the learned III Additional Family Court, Chennai, to be tried along with F.C.O.P.No.5541 of 2023.

2.When the matter came up for admission, I requested the learned counsel appearing for the petitioner to serve the papers on the counsel, who represents the respondent in the Court below. Accordingly, papers have been served. Mr.V.Samuthira Vijayan has entered appearance for the respondent.

3.I heard both sides. I have perused the affidavit.

4.The relationship between the parties is not in dispute. The petitioner in F.C.O.P.No.5541 of 2023 is the wife and the petitioner in F.C.O.P.No.3561 of 2024 is the husband. The first is the petition for divorce and second is the petition for restitution of conjugal rights.



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Interest of justice requires. Both the proceedings are heard together and a common judgment is pronounced in both the proceedings.

5.Mr.V.Samuthira Vijayan fairly states that he has no objection for both the proceedings to be tried together.

6.In the light of the above discussions, F.C.O.P.No.3561 of 2024 is withdrawn from the file of the learned V Additional Family Court, Chennai and transferred to the file of the learned III Additional Family Court, Chennai, to be tried along with F.C.O.P.No.5541 of 2023, pending on its file.

7. With the above observations, the Transfer Petition is allowed.
No costs. Consequently, connected miscellaneous petition is closed.

28.01.2025

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

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V. LAKSHMINARAYANAN,J.

Kj

To

1.V Additional Family Court, Chennai.

2.III Additional Family Court, Chennai.

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& C.M.P.No.947 of 2025

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