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Tr.C.M.P.No.296 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

Tr.C.M.P.No.296 of 2025

& CMP.No.6062 of 2025

Anushya

... Petitioner

vs.

Aruldhass

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw H.M.O.P.No.57 of 2024 from the file of the Sub Court, Gingee and to transfer the same to the file of the Sub Court, Vaniyambadi, Tirupathur District.

For Petitioner : Mr.G.Vinodhkumar
For Respondent : No appearance

ORDER

The petitioner is the wife in a matrimonial proceeding. The petitioner seeks transfer of HMOP.No.57 of 2024 pending on the file of the Sub Court, Gingee, to be transferred to the file of the Sub Court, Vaniyambadi, Tirupathur District.

2. Despite there is no representation for the Respondent on 06.06.2025, in order to give one more opportunity to put forth his objections for the transfer request, the Transfer Civil Miscellaneous Petition was



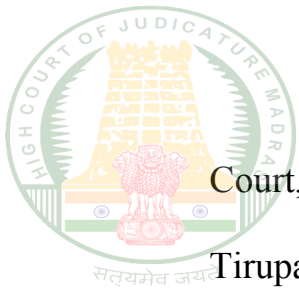
directed to be listed today for orders. Even today, there is no representation on behalf of the respondent. The name of the respondent is also printed in the today's cause list. Hence, the respondent is called absent and set exparte.

3. I proceeded to hear the learned counsel for the petitioner. I have also gone through the affidavit filed in support of the transfer petition.

4. The learned counsel for the petitioner would state that HMOP No.57 of 2024 is filed under Section 12(1)(c) of the Hindu Marriage Act by the respondent/ husband seeking divorce. Now the petitioner has come forward with this transfer application stating that she has already filed an application for restitution of conjugal rights in HMOP No.60 of 2024 and the same is pending before Sub Court, Vaniyambadi, Tirupathur District.

5. In order to avoid multiplicity of proceedings and conflicting orders, I am of the opinion that the transfer Civil Miscellaneous Petition has to be allowed.

6. In fine, this Transfer Civil Miscellaneous Petition is allowed. The case in HMOP.No.57 of 2024 is hereby withdrawn from the file of the Sub



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Court, Gingee and transferred to the file of the Sub Court, Vaniyambadi,

Tirupathur District to be tried along with HMOP No.60 of 2024. There shall

be no order as to costs. Connected Civil Miscellaneous Petition is closed.

13.06.2025

vum

Index : Yes/No

Speaking Order : Yes / No

Neutral Citation : Yes / No

To

1. The Sub Court, Gingee.
2. The Sub Court, Vaniyambadi, Tirupathur District.

P.B. BALAJI,J.

vum

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