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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

Tr.CMP.No.363 of 2025

& CMP.No.8179 of 2025

K.Kayalvizhi

... Petitioner

Vs.

M.Diwakaran

... Respondent

Prayer: The Transfer Civil Miscellaneous Petition filed under Section 24 of CPC, to withdraw H.M.O.P.No.82 of 2024 on the file of the Sub-Court, Neyveli to transfer the same to the Sub-Court, Thiruvarur.

For Petitioner : Ms.G.Soundari

For Respondent : No appearance

ORDER

The Civil Revision Petition has been filed to transfer the proceedings in H.M.O.P.No.82 of 2024 from the file of the Sub-Court, Neyveli to the Sub-Court, Thiruvarur.



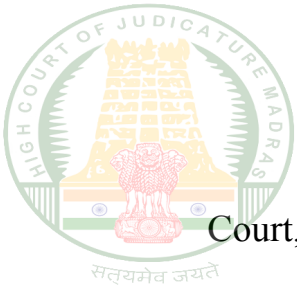
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2. Heard the learned counsel for the petitioner. Despite service of private notice sent to the correct address of the respondent, the respondent has not chosen to enter appearance either in person or through counsel.

3. The learned counsel for the petitioner would invite my attention to the pendency of H.M.O.P.No.133 of 2024 filed by the wife before the Sub Court, Thiruvarur, and in order to complicate the matter and harass the revision petitioner, the petitioner contends that the respondent has thereafter chosen to initiate H.M.O.P.No.82 of 2024 before the Sub Court, Neyveli.

4. The petitioner states that she is unable to travel all the way to attend the proceedings before the Sub-Court, Neyveli, being a resident of Tiruvarur district. It is also stated that MC.No.1 of 2024 was filed before the Chief Judicial Magistrate, Thiruvarur, claiming maintenance and the said maintenance application was dismissed, as against which, the revision petition has been preferred before this Court.

5. Be that as it may, considering the fact that there is proceedings for divorce which is initiated by the petitioner and pending before the Sub-



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Court, Thiruvarur in H.M.O.P.No.133 of 2024, in the interest of justice and in order to avoid multiplicity of proceedings and conflicting orders, it would be in the interest of both the parties, if these matters are jointly disposed of.

6.In the light of the above, the Transfer Civil Miscellaneous Petition is allowed and the proceedings in H.M.O.P.No.82 of 2024 is withdrawn from the file of the Sub-Court, Neyveli, and transferred to the file of the Sub-Court, Thiruvarur, to be jointly tried along with H.M.O.P.No.133 of 2024. There shall be no order as to costs. Connected Civil Miscellaneous Petition is closed.

23.07.2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

To

1.The Sub-Court, Neyveli.

2.The Sub-Court, Thiruvarur.

P.B. BALAJI,J.

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