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Tr CMP No. 644 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2025

CORAM :

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

Tr CMP No. 644 of 2025
and
C.M.P.No. 15518 of 2025

S.Radhamani

.. Petitioner

VS

S.N.Arul Adithyan

.. Respondent

Prayer : Petition filed under Section 24 of CPC to withdraw the HMOP No. 272 of 2025 on the file of the Family Court, Karur and transfer the same to the file of Sub-Court, Avinashi, Tiruppur District, to jointly try with HMOP No. 201 of 2024 before the Sub Court, Avinashi.

For Petitioner : Mr.C.S.Saravanan

For Respondent : Mr.G.Rajesh

ORDER

The Transfer Civil Miscellaneous Petition has been filed by the petitioner / wife seeking transfer of petition filed for restitution of conjugal rights filed by the respondent / husband in HMOP No. 272



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of 2025 from the file of Family Court, Karur to the file of Sub Court, Avinashi for joint trial along with divorce petition filed by petitioner in HMOP No. 201 of 2024.

2. Learned counsel for the petitioner would submit that if the petition for divorce filed by the petitioner and the petition filed by respondent/husband for restitution of conjugal rights are allowed to go on before the two different courts, there is a likelihood of conflict of judicial verdicts and hence both the petition shall be tagged together.

3. It is seen from the averments found in the affidavit, the petitioner is residing at at Rayampalayam within the territorial limits of Sub-court Avinashi. She filed petition for divorce in HMOP No. 201 of 2024 on the file of Sub Court, Avinashi and the same is pending.

4. Thereafter, as a counter blast, respondent / husband filed a petition for restitution of conjugal rights before the Family Court at Karur.



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5. The issues involved in both the OP's are one and the same, and if these petitions are allowed to go on before two different forums, there will be a likelihood of conflicting judicial verdicts. In order to avoid such an eventuality, and in the interest of justice, this Court is inclined to order the transfer petition.

6. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.272 511 of 2025 pending on the file of the Family Court, Karur is withdrawn and transferred to the file of the Sub Court, Avinashi for joint trial along with H.M.O.P.No. 201 of 2024. No costs. Consequently, the connected civil miscellaneous petition is closed.

18.11.2025

Index:Yes/No
Neutral Citation:Yes/No
ssm

To

- 1.The Family Court, Karur.
- 2.The Sub-Court, Avinashi, Tiruppur District.



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S. SOUNTHAR,J.,

ssm

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