



Tr CMP.No.817 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2025

CORAM

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr CMP.No.817 of 2024 &
CMP.No.18086 of 2024

Sindhu : Petitioner
versus

Vediyappan : Respondent

Prayer: Petition filed under Section 24 of the Code of Civil Procedure to transfer the case in FCOP.No.241 of 2023 pending on the file of the Family Court, Thiruvannamalai and transfer the same to the Sub Court at Harur.

For Petitioner : Mr.J.Pradeep

For Respondent : Mr.M.Sounderrajan

ORDER

This transfer petition is at the instance of the wife. She seeks withdrawal of FCOP.No.241 of 2023 from the file of the Family Court, Thiruvannamalai and transfer the same to the file of the Sub Court at Harur.



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2. I heard both sides. I have gone through the affidavit.

3. When the transfer was taken up for disposal, Mr.M.Sounderrajan, the learned counsel representing the respondent/ husband pointed out that the petitioner/wife had initiated a petition for divorce on grounds of cruelty and desertion in HMOP.No.56 of 2024 on the file of the Sub Court at Harur. He states that this petition was allowed on 14.11.2024.

4. As the divorce petition has been ordered, the question of proceeding further with the restitution of conjugal rights presented by the respondent/husband does not arise. In the event, that the decree for divorce granted in HMOP.No.56 of 2024 is set aside, the wife will be entitled to seek for transfer of FCOP.No.241 of 2023 from the file of the Family Court at Thiruvannamalai to the file of the Sub Court at Harur for joint trial along with HMOP.No.56 of 2024. For the present, since the decree for divorce is standing, this transfer petition is dismissed as infructuous. No costs. Consequently, the connected miscellaneous petition is closed.

24.01.2025

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Index : Yes/No

Speaking Order/Non speaking order

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Neutral Citation : Yes/No
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To

1.The Family Judge, Family Court, Thiruvannamalai



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V.LAKSHMINARAYANAN, J.
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