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Tr.C.M.P.No.1056 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2025

CORAM :

THE HONOURABLE MR. JUSTICE P.B. BALAJI

Tr.C.M.P.No.1056 of 2024

and

C.M.P.No.23216 of 2024

S.Poomiga

... Petitioner

Vs.

P.Sathishkumar

... Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw the case in H.M.O.P.No.97 of 2024 on the file of the learned Subordinate Judge at Rasipuram, Namakkal District and transfer to learned Subordinate Judge at Tiruchengode, Namakkal District.

For Petitioner : Mr.T.Dhasarathan

For Respondent : Mr.K.A.Mariappan

ORDER

The petitioner/wife seeks transfer of H.M.O.P.No.97 of 2024 on the file of the Subordinate Judge at Rasipuram, Namakkal District to the file of the Subordinate Judge at Tiruchengode, Namakkal District.



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2. Heard the learned counsel for the parties.

3. The petitioner/wife is the respondent in H.M.O.P.No.97 of 2024 and she has filed a case in H.M.O.P.No.160 of 2024 for divorce, which is pending before the Subordinate Judge, Tiruchengode, Namakkal District. Therefore, she seeks transfer of H.M.O.P.No.97 of 2024 to Subordinate Judge, Tiruchengode, Namakkal District.

4. The learned counsel for the respondent would pray for transfer of the proceedings to the Subordinate Judge, Tiruchengode, Namakkal District stating that it would be convenient for the parties to attend the hearings and moreover, the Court being the Family Court.

5. However, having noticed that the petition for divorce in H.M.O.P.No.160 of 2024 filed by the petitioner is already pending before the Subordinate Judge, Tiruchengode, Namakkal District, it would be just and proper to transfer the H.M.O.P.No.97 of 2024 to be tried jointly along with H.M.O.P.No.160 of 2024 by the Subordinate Judge, Tiruchengode, Namakkal District. Therefore, this Transfer Civil



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Miscellaneous Petition has to be necessarily entertained and the same is allowed. The case in H.M.O.P.No.97 of 2024 is hereby withdrawn from the file of the Subordinate Judge at Rasipuram, Namakkal District and transferred to the file of the Subordinate Judge at Tiruchengode, Namakkal District to be tried along with H.M.O.P.No.160 of 2024. On such transfer, the Subordinate Judge at Tiruchengode, Namakkal District shall take necessary steps to dispose of the cases in H.M.O.P.Nos.97 & 160 of 2024 expeditiously and at any rate on or before 31.12.2025. It is made clear that the Subordinate Judge at Tiruchengode, Namakkal District shall not insist on the physical appearance of the respondent for all hearings and his presence may be required only for hearings where it is absolutely necessary, for example, the chief examination/cross examination. There shall be no order as to costs. Consequently, the connected Civil Miscellaneous Petition is closed.

10.06.2025

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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To

- 1.The Subordinate Judge at Rasipuram, Namakkal District.
- 2.The Subordinate Judge at Tiruchengode, Namakkal District.

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P.B. BALAJI, J.

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