



WEB COPY

TR CMP No.1126 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2025

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

TR CMP No. 1126 of 2025

1. R.Roshmi Deekshana
D/o. J.Ravi, No. 1/180D, Annamalai
Nagar, Malumitchampatti Post,
Coimbatore District-50.

Petitioner(s)

Vs

1. S.Balaji
S/o. Sekar, No. 3/344, BMK Nagar,
Seelanaickenpatti, Dasinayakkanpatti,
Salem District-201.

Respondent(s)

PRAYER**Prayer :** Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, praying to withdraw HMOP No. 167 of 2025 pending on the file of the Family Court at Salem District and transfer the same to the file of of II Additional Sub Ordinate Court at Coimbatore District, to try along with HMOP No. 268 of 2024.

For Petitioner(s): Mr. C.D.Sugumar

For Respondent(s): Mr.K.Francis



ORDER

This transfer Civil Miscellaneous Petition is filed seeking transfer of HMOP No. 167 of 2025 pending on the file of the Family Court, Salem to the file of II Additional Sub Ordinate Court, Coimbatore to try along with HMOP No. 268 of 2024.

2. Mr.K.Francis, learned counsel takes notice for the respondent.

3. The petitioner/wife filed a divorce petition in HMOP No.268 of 2024 on the file of II Additional Subordinate Court, Coimbatore and the same is pending. On his part, the respondent/husband filed HMOP No.167 of 2025 on the file of Family Court, Salem seeking restitution of conjugal rights.

4. The issues involved in both the cases are connected to each other and if both the petitions are allowed to proceed before different courts, there is likelihood of conflicting judgments. Therefore, in order to avoid such eventuality, this court is inclined to order for joint trial.

5. In the affidavit, it was stated by the petitioner/wife that she is residing at Coimbatore and she is having two daughters aged 4 years and one year respectively. The petitioner expressed difficulty in undertaking long travel from Coimbatore to Salem to attend each and every court hearings.

6. In cases of matrimonial disputes, it is settled law that preference shall be given to the convenience of wife. In the case on hand, the petitioner/wife is



residing at Coimbatore and she filed the divorce petition, within the territorial jurisdiction of Sub Court, Coimbatore.

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7. By taking into consideration the convenience of the petitioner/wife, this Court is inclined to order the above transfer petition as prayed for.

8. Accordingly, the Transfer Civil Miscellaneous Petition is allowed. HMOP No. 167 of 2025 pending on the file of the Family Court, Salem is withdrawn and transferred to the file of II Additional Sub Ordinate Court, Coimbatore, for trial along with HMOP No. 268 of 2024. There shall be no order as to costs. Consequently, the connected civil miscellaneous petition is closed.

10.11.2025

Internet: Yes

Index: Yes/No

Neutral citation: Yes/No

MST

To

1. The Family Court, Salem

2 . The II Additional Subordinate Judge,
Coimbatore.



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S.SOUNTHAR, J.

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