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Tr.C.M.P.No.1079 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.1079 of 2024

and

C.M.P.No.23817 of 2024

R.Suganya

... Petitioner

Vs.

A.Suresh

... Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw the H.M.O.P.No.214 of 2023 pending on the file of the Sub Court at Kanchipuram to be transferred to heard and tried along with H.M.O.P.No.123 of 2024 on the file of Family Court at Thiruvallur.

For Petitioner : Mr.M.Jaikumar

For Respondent : No appearance



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ORDER

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The petitioner/wife seeks transfer of H.M.O.P.No.214 of 2023 on the file of the Sub Court at Kanchipuram to the file of the Family Court at Thiruvallur to be tried along with H.M.O.P.No.123 of 2024.

2. Despite service of notice on the respondent, the respondent has not chosen to enter appearance either in person or through counsel. The name of the respondent is also printed in today's cause list. The respondent is called and set ex-parte. I have proceeded to hear the learned counsel for the petitioner.

3. Learned counsel for the petitioner would submit that the petitioner/wife has already instituted H.M.O.P.No.123 of 2024 for restitution of conjugal rights, which is pending on the file of Family Court, Thiruvallur and the petitioner in order avoid multiplicity of proceedings, has sought for transfer of H.M.O.P.No.214 of 2023 from the file of Sub Court, Kanchipuram to the file of Family Court, Thiruvallur.



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4. The petitioner has made out a prima facie case for transfer.

Accordingly, this Transfer Civil Miscellaneous Petition is allowed and the case in H.M.O.P.No.214 of 2023 is hereby withdrawn from the file of the Sub Court, Kanchipuram and transferred to the file of the Family Court, Tiruvallur to be tried along with H.M.O.P.No.123 of 2024. There shall be no order as to costs. 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 Sub Court, Kanchipuram.
2.The Family Court, Thiruvallur.



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P.B. BALAJI, J.

sp

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