



Tr.C.M.P.No.1053 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P.No.1053 of 2023

C.M.P.No.25411 of 2023

Lakshmi

...Petitioner

Vs

M.Velusamy

...Respondent

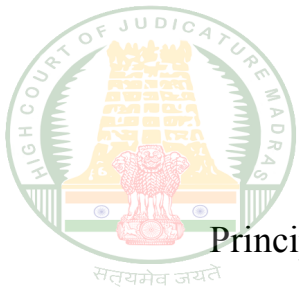
PRAYER : Transfer Civil Miscellaneous Petition filed under 24 of Code of Civil Procedure, pleaded to withdraw the H.M.O.P.No.298 of 2022 from the file of the Subordinate Court, Pollachi and transfer the same to the file of the Principal Family Court, Coimbatore, to be tried along with H.M.O.P.No.607 of 2023 and thus render justice.

For Petitioner : Mr.L.Mouli

For Respondent : M/s.P.Kalimuthu

ORDER

The respondent wife has filed the above Transfer Civil Miscellaneous Petition Seeking to transfer H.M.O.P.No.298 of 2022 pending on the file of the Subordinate Court, Pollachi, to the file of the



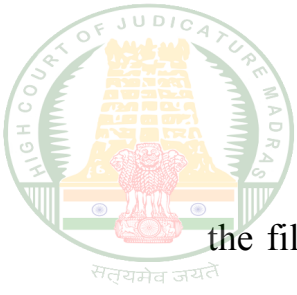
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Principal Family Court, Coimbatore.

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2.The reason for seeking transfer is on the ground that the petitioner has filed H.M.O.P.No.607 of 2023 on the file of the Principal Family Court, Coimbatore, seeking restitution of conjugal rights. This petition was filed earlier in point in time than the petition filed by the respondent for divorce in H.M.O.P.No.255 of 2017. In this petition parties had entered into a compromise and the same was not pressed by the petitioner on 12.09.2022. The petitioner had thereafter filed M.C.No.213 of 2018 which was also not pressed by the respondent herein. Alleging that the petitioner herein had flouted the terms of the compromise the respondent herein had filed H.M.O.P.No.298 of 2022 once again seeking a divorce on the file of the Subordinate Court, Pollachi. The petitioner seeks to transfer the aforesaid petition to the file of the Principal Family Court, Coimbatore, on the ground that it is very difficult for the petitioner to travel to Pollachi for the hearing and further her petition for which is pending before the Principal Family Court, Coimbatore.

3.Considering the above, H.M.O.P.No.298 of 2022 is pending on



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the file of Subordinate Court, Pollachi, to be withdrawn and transferred

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to the file of the Principal Family Court, Coimbatore, to be tried along with H.M.O.P.No.607 of 2023, since H.M.O.P.No.298 of 2023 is prior in point in time. Therefore, for the aforesaid reasons, the Transfer Civil Miscellaneous Petition is allowed as prayed for. No costs. Consequently, connected miscellaneous petition is closed.

27.02.2025

Index : Yes/No
Internet : Yes/No
Speaking Order/Non Speaking Order
ep

To

- 1.The Subordinate Court, Pollachi
- 2.The Principal Family Court, Coimbatore,



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P.T.ASHA, J,

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