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TR C.M.P.Nos.1250 and 1251 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.04.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

TR C.M.P.Nos.1250 and 1251 of 2024
and
C.M.P.Nos.27115 and 27117 of 2024

M.Gautam

... Petitioner in both Tr.C.M.Ps

Vs

Lakshmi Kala Desu

... Respondent in both Tr.C.M.Ps

Prayer in T.R.C.M.P.No.1250 of 2024: Petition filed under Section 24 of the Code of Civil Procedure praying to withdraw the M.C.No. 404 of 2024 on the file of I Additional Judge, Family Court, Chennai and transfer the same to IV Additional Judge, Family Court, Chennai in lieu of the joint trial with the proceedings in H.M.O.P.No.2747 of 2023 pending on the file of IV Additional Judge Family Court Chennai.

Prayer in T.R.C.M.P.No.1251 of 2024 : Petition filed under Section 24 of the Code of Civil Procedure praying to withdraw the H.M.O.P.No. 728 of 2024 on the file of Principal Judge, Family Court, Chennai and transfer the same to IV Additional Judge Family Court, Chennai in lieu of the joint



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trail with the proceedings in H.M.O.P.No. 2747 of 2023 pending on the file of IV Additional Judge Family Court, Chennai.

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For Petitioners
in both Tr.C.M.Ps

: Mr.M.I.Javid Akbar

For Respondents
in both Tr.C.M.Ps

: Mr.A.Saravanan

COMMON ORDER

Tr.C.M.P.No.1250 of 2024 has been filed seeking to withdraw the M.C.No. 404 of 2024 on the file of I Additional Judge, Family Court, Chennai and transfer the same to the file of the IV Additional Judge, Family Court, Chennai to be tried along with H.M.O.P.No.2747 of 2023 pending on the file of IV Additional Judge Family Court Chennai.

2. Tr.C.M.P.No.1251 of 2024 has been filed seeking to withdraw the H.M.O.P.No. 728 of 2024 on the file of Principal Judge, Family Court, Chennai and transfer the same to the file of the IV Additional Judge, Family Court, Chennai to be tried along with H.M.O.P.No.2747 of 2023 pending on the file of IV Additional Judge Family Court Chennai.



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3. The petitioner-husband had initially filed a petition for divorce on the file of the IV Additional Judge, Family Court, Chennai in H.M.O.P.No.2743 of 2023. Thereafter, the respondent/wife had filed H.M.O.P.No.728 of 2024 on the file of the Principal Family Judge, Chennai for restitution of conjugal rights and also filed M.C.O.P.No.404 of 2024 on the file fo the I Additional Family Judge, Chennai for maintenance.

4. Since the petition for divorce was earlier in point in time the petitioner has filed these two Tr.C.M.Ps to transfer M.C.404 of 2024 and H.M.O.P.No.748 of 2024 to the file of the IV Additonal Family Court, Chennai to be tried along with H.M.O.P.No.2743 of 2023, the respondent-wife has no objection to the same.

5. Accordingly, these transfer civil miscellaneous petitions are allowed and M.C.No.404 of 2024 on the file of I Additional Judge, Family Court, Chennai and H.M.O.P.No.728 of 2023 pending on the file of the Principal Judge, Family Court, Chennai are withdrawn and transferred to the file of the IV Additional Judge, Family Court, Chennai -to be tried



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along with H.M.O.P.No.2747 of 2023. No costs. Consequently,
connected miscellaneous petitions are closed.

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Index: Yes/No
Speaking order/non-speaking order
Neutral Citation: Yes/No
srn

To,

1. The I Additional Judge, Family Court, Chennai.
2. The IV Additional Judge, Family Court, Chennai.
3. The Principal Judge, Family Court, Chennai.



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P.T.ASHA, J.,

srn

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and C.M.P.Nos.27115 and 27117 of 2024

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