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Tr.CMP.No.1369 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2025

CORAM :

THE HONOURABLE MR. JUSTICE P.B. BALAJI

Tr.CMP.No.1369 of 2024

and

CMP.No.29636 of 2024

Parimala

...Petitioner

Vs.

Senthil Raja

...Respondent

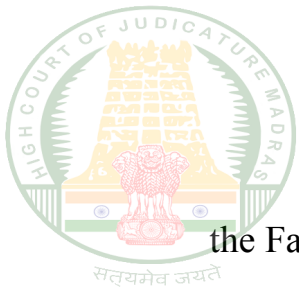
Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw the HMOP.No.208 of 2019 pending before the Hon'ble Subordinate Court at Kallakurichi, Kallakurichi District and transfer the same to the Family Court, Kullithalai, Karur District.

For Petitioner : Mr.T.Balachandran

For Respondent : Mr.D.Murugan

ORDER

The petitioner/wife seeks transfer of HMOP.No.208 of 2019, pending on the file of the Subordinate Court at Kallakurichi to the file of



Tr.CMP.No.1369 of 2024

the Family Court, Kullithalai, Karur District.

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2. Learned counsel for the petitioner states that the matter may be transferred to the Sub Court, Kullithalai, Karur District instead of Family Court, Kullithalai, Karur District, which would be convenient for both the petitioner/wife and the respondent/husband.

3. Learned counsel for the respondent submits that, at the time of filing of the HMOP proceedings before the Sub Court at Kallakurichi, the petitioner/wife was only residing within the jurisdiction of Kallakurichi and after filing of HMOP proceedings, she has shifted her residence to Kullithalai, Karur District and has chosen to initiate proceedings for restitution of conjugal rights, which is pending before the Sub Court, Kullithalai in HMOP.No.82 of 2021.

4. I have heard the learned counsel for the parties and I have also gone through the affidavit filed in support of this transfer petition.

5. In the interest of both the parties, it is desirable that both the petition for divorce and the restitution of conjugal rights are jointly tried



Tr.CMP.No.1369 of 2024

by one and the same court.

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6. In the light of the above, I am satisfied that the petitioner has made out case for transfer as prayed for. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and the case in HMOP.No.208 of 2019 is hereby withdrawn from the file of the Subordinate Court, Kallakurichi and transferred to the file of the Subordinate Court, Kullithalai, Karur District, to be tried jointly with HMOP.No.82 of 2021. The Sub Court, Kullithalai shall not insist on the physical appearance of the respondent/ husband for all hearing dates, except where it would be absolutely necessary. There shall be no order as to costs. Consequently, the connected Civil Miscellaneous Petition is closed.

24.07.2025

skt

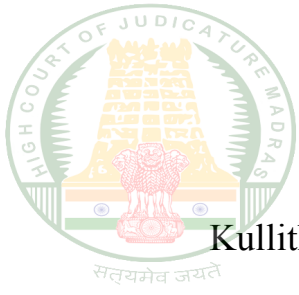
Index : Yes / No
Speaking order : Yes / No
NCC : Yes / No

To

1. The Subordinate Court,
Kallakurichi, Kallakurichi District.

2. The Subordinate Court,

Page No.3 of 8



Kullithalai, Karur District.

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Tr.CMP.No.1369 of 2024

P.B.BALAJI, J.
skt

Tr.CMP.No.1369 of 2024
and
CMP.No.29636 of 2024



Tr.CMP.No.1369 of 2024

24.07.2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.08.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

TR.CMP.No.1369 of 2024

and CMP.No.29636 of 2024

Parimala

Petitioner(s)

Vs

Senthil Raja

Respondent(s)

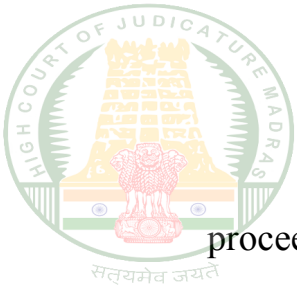
For Petitioner(s): Mr.T.Balachandran

For Respondent (s): Mr.D.Murugan

ORDER

This Transfer Civil Miscellaneous Petition was disposed of, by an order dated 24.07.2025, and it has been mentioned at the instance of the learned counsel for the petitioner.

2. The learned counsel for the petitioner states that a new Court is formed in Karur exclusively for handling Family Court matters, namely, the Family Court at Karur. In view of the same, the HMOP



Tr.CMP.No.1369 of 2024

proceedings had been transferred to the file of the Family Court, Karur.

WEB COPY In fact, O.P has been assigned new O.P.No.213 of 2024 (formerly HMOP.No.82 of 2021). In the light of the above, para 6, the order dated 24.07.2025 shall stand modified as follows:-

In the light of the above, I am satisfied that the petitioner has made out a case for transfer as prayed for. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and the case in HMOP.No.208 of 2019 is hereby withdrawn from the file of the Subordinate Court, Kallakurichi and transferred to the file of the Family Court, Karur District to be tried along with O.P.No.213 of 2024 (formerly HMOP.No.82 of 2021). The Family Court shall not insist on the physical appearance of the respondent/husband for all hearing dates, except where it would be absolutely necessary. There shall be no order as to costs. Consequently, the connected Civil Miscellaneous Petition is closed.

3.In all other aspects, the order dated 24.07.2025 remains unaltered.

4. Registry is directed to issue fresh copy of the order.

07.08.2025

dh

To

1. The Sub Court, Kallakurichi.



Tr.CMP.No.1369 of 2024

2. The Subordinate Court, Kullithalai

3. The Family Court, Karur.

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Tr.CMP.No.1369 of 2024

P.B.BALAJI.J.,

dh

Tr.CMP.No.1369 of 2024

07.08.2025