

TR CMP(MD) NO. 326 of 2

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14-10-2025

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THE HONOURABLE MR.JUSTICE SHAMIM AHMED

TR CMP(MD) NO. 326 of 2023

and

CMP.(MD) No.7113 of 2023

Nagajothi.R

W/o.Krishnamoorthy, No.12, G10, Kurinji Nagar,
Puthu Ayakudi, Palani, Dindigul District.

Appellant(s)

Vs

D.Krishnamoorthi

S/o.Duraiaraj, Door No.1860/12731, Nagamuthu Mariamman Koil Street,
Redhills, Chennai 600 052.

Respondent(s)

Prayer:

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw and transfer the H.M.O.P No.280 of 2022 on the file of the Principal Sub Court, Ponneri to the Principal Sub court, Palani, to be tried along with the H.M.O.P No.32 of 2023.

For Appellant(s):

Mr. Padmakumar for
Mr.S.Siva Thilakar

For Respondent(s):

Mr.A.Srinivasan



ORDER



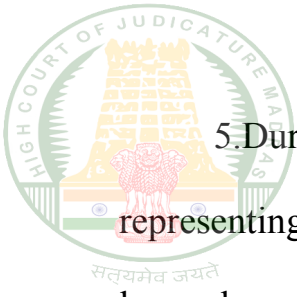
This case is listed before this Court for rehearing today, as per the order, dated 15.09.2025, of the Honourable The Chief Justice of this Court.

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2.This Transfer Civil Miscellaneous Petition has been filed to withdraw the case in HMOP.No.280 of 2022, on the file of the Principal Sub Court, Ponneri and transfer the same to the file of Principal Sub Court, Palani.

3.Heard Mr.Padmakumar, learned counsel for Mr.S.Siva Thilakar, learned counsel for the petitioner and Mr.A.Srinivasan, learned counsel for the respondent.

4.The petitioner is the wife and the respondent is the husband and their marriage was solemnized on 01.02.2021, according to Hindu rites and customs. The respondent/husband has filed H.M.O.P. No.280 of 2022 before the Principal Sub-Court, Ponneri, seeking divorce. The petitioner/wife has filed H.M.O.P. No.32 of 2023 before the Principal Sub-Court, Palani, seeking restitution of conjugal rights, which is sought to be transferred by the respondent/husband to the Principal Sub-Court, Ponneri. Seeking transfer of H.M.O.P. No.280 of 2022 from the file of Principal Sub-Court, Ponneri to the file of Principal Sub-Court, Palani, the present Transfer Civil Miscellaneous Petition has been filed.



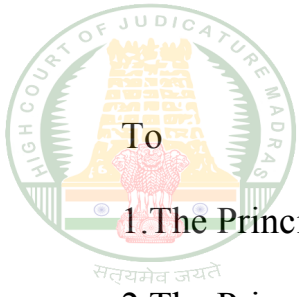
5. During the course of arguments, both Mr. Padmakumar, learned counsel representing Mr. S. Siva Thilakar, learned counsel for the petitioner and Mr. A. Srinivasan, learned counsel for the respondent have mutually agreed to transfer the HMOP.No.280 of 2022 on the file of the Principal Sub Court, Ponneri, to the file of the Principal Sub Court, Palani, which could be conveniently accessed by both parties and they have also made endorsement to that effect in the affidavit filed in support of this Transfer Civil Miscellaneous Petition. Hence, it is not necessary to go into the merits or otherwise of the case.

6. In view of the mutual agreement between the parties and the endorsements made by the learned counsel for the parties, agreeing to allow this Transfer Civil Miscellaneous Petition, the matrimonial case in HMOP.No.280 of 2022, on the file of the Principal Sub Court, Ponneri, is hereby ordered to be withdrawn and transferred to the file of Principal Sub Court, Palani and both the parties shall appear before that Court on the next date of hearing for conduct of further proceedings from its present stage.

7. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. The file is consigned to record. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

14-10-2025

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To

1. The Principal Subordinate Judge, Ponneri.

2. The Principal Subordinate Judge, Palani

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