



Tr.CMP No.49 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-01-2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

TR CMP No. 49 of 2025

and

CMP No.1022 of 2025

V. Indira Gandhi

...Petitioner(s)

Vs

R. Ramaraj

...Respondent(s)

Prayer in Tr.CMP No.49 of 2025:

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, pleaded to withdraw and transfer the HMOP No.25 of 2024 pending on the file of Sub Court, Paramathi to the Sub Court, Kodumudi.

Prayer in CMP No.1022 of 2025: Petition filed under Section 151 of Civil Procedure Code, pleaded to grant stay of all further proceedings in HMOP No.25 of 2024 pending on the file of Sub Court Paramathi to the Sub Court, Kodumudi, pending disposal of the above Transfer Petition.

For Petitioner(s) : Mr.K.Karthikeyan

For Respondent(s) : No appearance



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ORDER

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1. Heard.
2. The petitioner is the wife and the respondent is the husband. This petition filed under Section 24 of C.P.C., to withdraw and transfer H.M.O.P. No.25 of 2024 pending on the file of the Sub Court, Paramathi to the Sub Court, Kodumudi.
3. The marriage between the parties was solemnized on 25.10.2023 at Arulmigu Sri Balasubramanian Thirukovil Thirumana Mandapam, Pugazhalimalai, Velayuthapalayam, Karur District. The respondent has filed H.M.O.P. No.25 of 2024 (restitution of conjugal rights under Section 9 of the Hindu Marriage Act) on the file of the Sub Court, Paramathi.
4. The petitioner has filed divorce proceedings in F.C.O.P. No.511 of 2024 before the Family Court, Erode, which, on constitution of the Sub Court at Kodumudi, stood transferred and renumbered as H.M.O.P. No.59 of 2024, now pending before the Sub Court, Kodumudi.
5. The petitioner seeks transfer of H.M.O.P. No.25 of 2024 from Paramathi to Kodumudi stating, inter alia, that she apprehends lack of safety and difficulty in attending proceedings at Paramathi, and alleges cruelty and



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intimidation; she states that if she goes to Paramathi Court, the respondent may attack her. It is also stated that no prejudice would be caused to the respondent, as he is already appearing in both matters.

6. This Court has considered the pleadings and materials. The power under Section 24 C.P.C. is to be exercised to secure the ends of justice. In matrimonial matters, the convenience of the wife and the need to avoid multiplicity of proceedings and conflicting findings are relevant considerations. In the case on hand, the divorce proceedings between the same parties are already pending before the Sub Court, Kodumudi, and the restitution petition is pending at Paramathi. Consolidating the proceedings before one Court would facilitate effective adjudication and reduce hardship. In view of the above, this Court is satisfied that transfer of H.M.O.P. No.25 of 2024 from the Sub Court, Paramathi to the Sub Court, Kodumudi is warranted.

7. Accordingly, Tr.C.M.P. No.49 of 2025 is allowed. H.M.O.P. No.25 of 2024 on the file of the Sub Court, Paramathi, is withdrawn and transferred to the file of the Sub Court, Kodumudi. The Sub Court, Paramathi, shall transmit the entire records to the Sub Court,



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Kodumudi, within three (3) weeks from the date of receipt of this order and the Sub Court, Kodumudi shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. The interim stay granted by this Court on 22.01.2025 shall stand vacated and C.M.P. No.1022 of 2025 is closed. There shall be no order as to costs.

08.01.2026

Index:Yes/No
Neutral Citation:Yes/No
Internet:Yes
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To

1. The Sub-Court, Paramathi.
2. The Sub-Court, Kodumudi.



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DR. A.D.MARIA CLETE

dsn

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