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Tr.C.M.P.No.418 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 30.01.2026**

**CORAM**

**THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE**

**Tr.C.M.P. No.418 of 2025**

**and**

**C.M.P. No.9628 of 2025**

T. Priyadarshini

... Petitioner

Versus

M. Rakesh

... Respondent

Prayer in Tr.C.M.P. No.418 of 2025:

Transfer of O.P. No.380 of 2024, pending on the file of the III Subordinate Judge, Poonamallee, and to withdraw and transfer the same to the file of the Subordinate Judge, Tambaram, to be tried along with O.P. No.135 of 2024.

Prayer in C.M.P. No.9628 of 2025:

Petition filed under Section 151 of the Code of Civil Procedure, praying that this Hon'ble Court may be pleased to grant an interim stay of all further proceedings in O.P. No.380 of 2024, pending on the file of the Subordinate Judge, Tambaram, pending disposal of Tr.C.M.P. No.418 of 2025, and thus render justice.

For Petitioner : Mr.K.M.Vivekanandan

For Respondent : Mr.S.Sivakumar  
for M/s.Law Square



*Tr.C.M.P.No.418 of 2025*

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## **ORDER**

1. Heard.
2. The petitioner and the respondent are spouses. Their marriage was solemnized on 30.06.2014 and they have a minor male child, born on 20.02.2016.
3. The respondent/husband has filed O.P. No.135 of 2024 on the file of the Subordinate Judge, Tambaram seeking restitution of conjugal rights, and the petitioner/wife has filed O.P. No.380 of 2024 on the file of the III Subordinate Judge, Poonamallee seeking dissolution of marriage.
4. The case on hand is a petition under Section 24 CPC, seeking transfer of the petitioner's proceedings so that both matrimonial proceedings between the same parties can be tried by one Court, avoiding multiplicity, inconvenience, and the possibility of conflicting findings.



5. In matrimonial matters, where the wife is stated to be in custody of the minor child and is required to attend hearings, the convenience of the wife is ordinarily given due weight, particularly when transfer facilitates by one court to avoid conflicting decisions.

6. In the present case, both O.Ps arise out of the same marriage are pending before two different Courts, and the petitioner seeks consolidation by having the proceedings tried together in one forum. Further, the respondent has expressed no objection to the transfer being ordered.

7. Considering the above, this Court is of the view that the transfer sought is warranted to secure the ends of justice and to ensure expeditious disposal.

8. Accordingly, Tr.C.M.P. No.418 of 2025 is allowed. O.P. No.380 of 2024 on the file of the III Subordinate Judge, Poonamallee, is withdrawn and transferred to the file of the Subordinate Judge, Tambaram. The III Subordinate Judge, Poonamallee, shall transmit the entire records to the Subordinate Judge, Tambaram within three weeks from the date of receipt of this order and the Subordinate Judge, Tambaram shall dispose of the matter



Tr.C.M.P.No.418 of 2025

in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. The interim stay granted by this Court on 22.04.2025 shall stand vacated and C.M.P. No.9628 of 2025 is closed. There shall be no order as to costs.

**30.01.2026**

*mfa*

Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation: Yes / No

To

1. Subordinate Judge, Tambaram
2. III Subordinate Judge, Poonamallee



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*Tr.C.M.P.No.418 of 2025*

**DR. A.D. MARIA CLETE, J**

*mfa*

Tr.C.M.P. No.418 of 2025  
and  
C.M.P. No.9628 of 2025

**30.01.2026**