



Tr. CMP No.1073 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2026

CORAM

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

TR CMP No. 1073 of 2024

AND

CMP NO. 23701 OF 2024

Mohanapriya

D/o.R.Sundaram, old No.21, New No.11, 2nd

Street, Parthasarathipuram, North Usman Road,

T.Nagar, Chennai-600017

..Petitioner(s)

Vs

R. Arul Raja

S/o.Ramasamy, Rep. by his Power Agent

Ramasamy Door No.5/63, Kailasampalayam,

Vadugam Post, Rasipuram Taluk, Namakkal

District-637407 Presently res at Niddagastrasse



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13, Frankfurt Am Main, Germany-60489

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..Respondent(s)

PRAYER IN TR CMP No. 1073 of 2024:

To withdraw and transfer the HMOP No.71/2024 pending on the file of the Sub Court, Rasipuram and try along with the MC No.351/2024 pending on the file of the VII Addl. Family Court, Chennai

PRAYER IN CMP No. 23701 of 2024:

To stay all further proceedings in HMOP No.71/2024 pending on the file of the Sub Court, Rasipuram pending disposal of the above Tr.CMP.

For Petitioner(s): Ms.K.Indupriya.

For Respondent(s): No appearance.

Order

1. Learned counsel for the petitioner and learned counsel for the respondent are heard.

2. This Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure seeking withdrawal of H.M.O.P. No.71 of 2024 pending on the file of the Sub Court, Rasipuram and transfer of the same to the file of the VII Additional Family Court, Chennai, to be tried along with M.C. No.351 of 2024



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pending before the said Family Court.

3. The petitioner is residing at Chennai. It is placed that M.C. No.351 of 2024 is pending before the VII Additional Family Court, Chennai, and that H.M.O.P. No.238 of 2023 (petition for divorce) filed by the wife is also pending before the VII Additional Family Court, Chennai. It is further stated that the husband has filed the restitution proceedings in H.M.O.P. No.71 of 2024 before the Sub Court, Rasipuram.

4. Having regard to the above, and in order to avoid multiplicity of proceedings and the possibility of inconsistent findings, this Court is satisfied that the transfer sought deserves to be allowed.

5. Accordingly, Tr.C.M.P. No.1073 of 2024 is allowed, with the following directions:

- (i) H.M.O.P. No.71 of 2024 pending on the file of the Sub Court, Rasipuram is withdrawn and transferred to the file of the VII Additional Family Court, Chennai.
- (ii) The Sub Court, Rasipuram shall transmit the entire records forthwith to the transferee Court.
- (iii) The VII Additional Family Court, Chennai shall take up the transferred H.M.O.P. along with M.C. No.351 of 2024 and H.M.O.P. No.238 of 2023, and proceed in accordance with law, by conducting joint/co-ordinated trial to the extent



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feasible.

6. No costs. Consequently, C.M.P. No.23701 of 2024 stands closed.

12-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SHL/ay

To

1.The Sub court, Rasipuram.

2.The VII Additional Family Court,
Chennai.



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DR.A.D.MARIA CLETE J.

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