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Tr.CMP.No.1178 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.CMP.No.1178 of 2025

and CMP.No.26550 of 2025

T. Divyadharshini

... Petitioner

Vs.

Dr.S.Jaghadeesan

... Respondent

Prayer in Tr.C.M.P.No.1178 of 2025: This Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code to withdraw HMOP No.159 of 2024 pending on the file of the Family Court, Dharmapuri and transfer the same to the Sub Court, Tirupathur to be heard along with HMOP No.102 of 2023.

Prayer in C.M.P. No.26550 of 2025: This Civil Miscellaneous Petition filed under Section 151 of Civil Procedure Code to pass an order of interim stay of all further proceedings in HMOP.No.159 of 2024 pending on the file of the Family Court, Dharmapuri pending disposal of the above Transfer CMP.

For Petitioner : Mr.B.Abdul Samath

For Respondent : No appearance



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ORDER

Heard

2. The petitioner is the wife and the respondent is the husband. The present petition is filed to withdraw H.M.O.P. No.159 of 2024, from the file of Family Court, Dharmapuri and transfer the same to Sub Court, Tirupattur to be heard along with HMOP.No.102 of 2023.

3. The respondent/husband has instituted H.M.O.P. No.159 of 2024 seeking dissolution of marriage, now pending on the file of the Family Court, Dharmapuri. The petitioner/wife has instituted H.M.O.P. No.102 of 2023 for restitution of conjugal rights on the file of the Sub Court, Tirupathur.

4. The learned counsel for the petitioner submitted that the marriage between the parties was solemnized on 15.02.2021 as per Hindu rites and customs. He further submitted that the petitioner is residing within the limits of Tirupattur district and she is dependent upon her parental support for her daily needs and would be put to hardship if required to travel to Dharmapuri for each hearing. It is further submitted that both proceedings arise out of the same matrimonial relationship and involve overlapping issues, warranting trial before



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5. There is no representation on behalf of the respondent.

6. Considering that both proceedings are between the same parties and arise out of the same matrimonial dispute and having regard to the convenience of the petitioner-wife, this Court is satisfied that transfer would subserve the ends of justice and enable effective adjudication by avoiding inconsistent decisions.

7. Accordingly, Tr.C.M.P. No.1178 of 2025 is allowed. H.M.O.P. No.159 of 2024 on the file of the Family Court, Dharmapuri is withdrawn and transferred to the file of the Sub Court, Tirupattur. The Family Court, Dharmapuri, shall transmit the entire records to the Sub Court, Tirupattur within three (3) weeks from the date of receipt of this order and the Sub Court, Tirupattur shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. Interim stay granted by this Court on 31.10.2025 shall stand vacated. There shall be no order as to costs.

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Index : Yes/No

Speaking order : Yes/No

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To

1. The Family Court,
Dharmapuri

2. The Sub Court,
Tirupathur.



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DR.A.D.MARIA CLETE. J,

dpq

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