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Tr.C.M.P.No.1320 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P.No.1320 of 2025

and

CMP No.30236 of 2025

R.Krishnan

... Petitioner

Vs

S.Suma

... Respondent

PRAYER in Tr.C.M.P:

This Transfer Miscellaneous Petition is filed under Section 24 C.P.C., to withdraw H.M.O.P. No.124 of 2025 on the file of the Family Court, Thanjavur, and transfer the same to the file of the V Additional Principal Judge, Family Court, Chennai, to be tried along with H.M.O.P. No.2481 of 2025 pending there.

PRAYER in C.M.P:

Petition filed under Section 151 of the Code of Civil Procedure, seeking stay of all further proceedings in H.M.O.P. No.124 of 2025 on the file of the Family Court, Thanjavur, pending disposal of the Transfer C.M.P.

For Petitioner : Mr.K.K.Ramesh

For Respondent : Mr.M.Sudhan



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ORDER

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Heard.

2. This Transfer Civil Miscellaneous Petition is filed by the husband to withdraw H.M.O.P. No.124 of 2025 from the file of the Family Court, Thanjavur and to transfer the same to the file of the V Additional Principal Judge, Family Court, Chennai, to be tried along with H.M.O.P. No.2481 of 2025 pending at Chennai.

3. Learned counsel for the respondent submits that, as between the very same parties and in respect of the very same proceedings, the respondent / wife has already approached the Madurai Bench of this Court by filing Tr.C.M.P.(MD) No.569 of 2025, seeking withdrawal of H.M.O.P. No.2481 of 2025 from the Family Court, Chennai and transfer of the same to the Family Court, Thanjavur, to be tried along with H.M.O.P. No.124 of 2025 pending at Thanjavur.



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4. It is submitted that in Tr.C.M.P.(MD) No.569 of 2025, the Madurai Bench has already passed an order dated 25.09.2025, ordering notice to the respondent and fixing the matter “for final hearing” on 17.11.2025 before the appropriate Bench.

5. In view of the pendency of the aforesaid transfer proceedings before the Madurai Bench seeking a contrary relief between the same parties and pertaining to the same matrimonial proceedings, entertaining the present Transfer C.M.P. before this Bench would lead to parallel adjudication and a real possibility of conflicting orders; in the interest of justice, such parallel transfer petitions are not to be proceeded with.

6. Without expressing any opinion on the merits of the rival conveniences, this Court is not inclined to entertain the present Transfer C.M.P., leaving it open to the petitioner to work out his remedies and place his objections in the pending Tr.C.M.P.(MD) No.569 of 2025, in accordance with law.



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7. Accordingly, Tr.C.M.P. No.1320 of 2025 is dismissed. Consequently,
C.M.P. No.30236 of 2025 is dismissed. There shall be no order as to costs.

06.01.2026

mfa

Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation: Yes / No

To

1. The Judge, Family Court, Thanjavur
2. V Additional Principal Judge, Family Court, Chennai.



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DR. A.D. MARIA CLETE, J

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**Tr.C.M.P.No.1320 of 2025
and
CMP No.30236 of 2025**

06.01.2026