

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02.12.2016**

CORAM

THE HONOURABLE Mr. JUSTICE **K.K.SASIDHARAN**

**Transfer CMP.No.437 of 2016  
and  
C.M.P.No.11883 of 2016**

Malarkodi

...Petitioner

vs.

Muthu

...Respondent

**PRAYER:** Tr.C.M.P. filed under section 24 of C.P.C., to withdraw the H.M.O.P.No.53 of 2003 on the file of Sub Court, Hosur and transfer the same to the Family Court, Dharmapuri for enquiry and disposal.

For Petitioner : Mr.P.Mani

For Respondent :Mr.T.Sundaravadanam

**ORDER**

The respondent initiated matrimonial proceedings in H.M.O.P No.53 of 2003 against the petitioner before the Subordinate Court, Hosur. The said original petition was decreed exparte. The petitioner filed I.A.No.2 of 2005 to set aside the exparte decree.

2. The petitioner has filed this Transfer Petition with a request to withdraw the proceedings in I.A.No.2 of 2005 in H.M.O.P.No.53 of 2003, pending on the file of the Sub Court, Hosur, and to transfer the same to the Family Court, Dharmapuri.

3. Heard the learned counsel for the petitioner and the learned counsel for the respondent

4. The learned counsel for the respondent submitted that the respondent has no objection in transferring I.A.No.2 of 2005 in H.M.O.P.No.53 of 2003, as prayed for by the petitioner.

5. In the result, the proceedings in I.A.No.2 of 2005 in H.M.O.P.No.53 of 2003, is withdrawn from the file of the Subordinate Court, Hosur, and is transferred to the file of Family Court, Dharmapuri, for disposal on merits.

6. The Transfer Civil Miscellaneous Petition is allowed, as indicated above. No costs. Consequently, connected civil miscellaneous petition is closed.

**02.12.2016**

arr

To

1. The Subordinate Court, Hosur.
2. The Family Court, Dharmapuri.

**K.K.SASIDHARAN, J.**

arr

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