

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2017

CORAM :

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P.No.40 of 2017
and
C.M.P. No.929 of 2017

A.Nagaraj ... Petitioner

Vs.

P.Jayapratha Respondent

Prayer:- Petition has been filed under Section 24 of C.P.C., to withdraw O.S.No.170 of 2016 on the file of the Additional District Munsif, Ambasamudram and to transfer the same to the file of the Principal District Munsif Court, Puducherry.

For Petitioner : Mr.R.Sreedhar

For Respondent : Ms.N.Premalatha
for Mr.C.D.Johnson

O R D E R

This petition is filed to withdraw O.S.No.170 of 2016 on the file of the Additional District Munsif, Ambasamudram and transfer to the file of the Principal District Munsif Court, Puducherry.

2. The petitioner is husband and the respondent is the wife. The marriage between the petitioner and the respondent was conducted on 22.07.2011 in the office of the Sub-Registrar, Ambasamudram. Due to difference of opinion, the petitioner and the respondent are living separately. The respondent filed O.S.No.170 of 2016 for divorce on the file of the Additional District Munsif, Ambasamudram.

3. When the matter is taken up for hearing, Ms.N.Premalatha, learned counsel appearing for the respondent submitted that before the Trial Court on 09.03.2017, petitioner was called absent and there is no representation on his behalf and hence, the petitioner was set exparte and suit is posted for exparte evidence on 21.12.2017.

4. The learned counsel for the petitioner seeks permission of this Court to withdraw the petition with a liberty to file a fresh Tr.CMP., if exparte order is set aside. He has also made an endorsement to that effect.

Recording the submission and endorsement made by the learned counsel for the petitioner, this petition is dismissed as withdrawn with liberty given to the petitioner to file a fresh petition, if the order dated 09.03.2017 is set aside. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

gv
To

The Additional District Munsif,
Ambasamudram.

+1cc to Mr.R.Sreedhar, Advocate Sr.42700
+1cc to Mr.C.D.Johnson, Advocate Sr.42709

Tr.C.M.P.No.40 of 2017
and
C.M.P. No.929 of 2017

br[co]
srg 13/07/2017

WEB COPY