



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2017

CORAM :

WEB COPY

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Tr.C.M.P.(MD)No.382 of 2016

and

C.M.P.(MD)Nos.7501 & 7502 of 2016

J.Elavarasi

... Petitioner/Respondent

Vs.

S.Balashankar

... Respondent/Petitioner

Petition filed under Section 24 of the Civil Procedure Code, to withdraw and transfer the proceeding in H.M.O.P.No.368 of 2016 from file of the Family Court, Madurai, Madurai District, to file of the Principal Subordinate Court, Tiruchirappalli, Tiruchirappalli District.

For Petitioner : Mr.A.Thiruvadikumar

For Respondent : Mr.R.J.Karthick

ORDER

This petition has been filed by the petitioner/wife to withdraw and transfer the proceeding in H.M.O.P.No.368 of 2016 from file of the Family Court, Madurai, to file of the Principal Subordinate Court, Tiruchirappalli.

2. The petitioner herein is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 20.01.2016 as per Hindu Rites and Customs. Due to disputes, both the petitioner and the respondent are living separately. The respondent filed H.M.O.P.No.368 of 2016 against the petitioner before the Family Court, Madurai, to declare the marriage, dated 20.01.2016, as null and void.

3. According to the petitioner, at present, she is working at Bhubaneswar, Odisha State. In the event of the case being transferred to the file of the Principal Subordinate Court, Tiruchirappalli, the personal appearance of the parties is not necessary. Further, no prejudice would be caused to the respondent in transferring the case to the file of Principal Subordinate Court, Tiruchirappalli, as the respondent is also employed at Bhubaneswar, Odisha State.



4. I have heard the learned counsel appearing for the petitioner.

5. The learned counsel for the respondent submitted that he has no objection for transferring H.M.O.P.No.368 of 2016 from file of the Family Court, Madurai, to file of the Principal Subordinate Court, Tiruchirappalli and has also made an endorsement to that effect.

6. In view of the endorsement made by the learned counsel for the respondent, this Transfer Civil Miscellaneous Petition is ordered and H.M.O.P.No.368 of 2016 on the file of the Family Court, Madurai, is hereby withdrawn, if the same is not yet disposed of and transferred to the file of the Principal Subordinate Court, Tiruchirappalli. The learned Judge, Family Court, Madurai, is directed to send the case bundles to the Principal Subordinate Court, Tiruchirappalli, immediately. The Registry is also directed to send back the papers that are pending before the Registry. The learned Principal Subordinate Judge, Tiruchirappalli, is directed to dispose of H.M.O.P.No.368 of 2016, as expeditiously as possible, in any event, not later than 31.08.2017. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To

1.The Principal Subordinate Judge,
Tiruchirappalli.

2.The Judge,
Family Court,
Madurai.

Copy to : The Section Officer,
V.R Section,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.R.J.KARTHICK Advocate in SR. No.7425
+1cc to Mr.A.THIRUVADIKUMAR Advocate in SR. No.7372
SMN2
JS/MR/22.02.2017/2P-5C

Tr.C.M.P. (MD)No.382 of 2016

and
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