

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2018

CORAM :

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P. No.249 of 2017

and C.M.P.No.4536 of 2017

S.Pradeep

... Petitioner

Vs.

Prasanna Kumari

... Respondent

Prayer:- Petition is filed under Section 24 of C.P.C., to withdraw I.D.O.P.No.117 of 2016 pending on the file of the Principal District and Sessions Court, Chengalpattu and transfer the same to the file of the Family Court, Chennai.

For Petitioner : Mr.T.Arul

For Respondent : No appearance

O R D E R

This petition is filed to withdraw I.D.O.P.No.117 of 2016 pending on the file of the Principal District and Sessions Court, Chengalpattu and transfer the same to the file of the Family Court, Chennai.

2.According to the petitioner, he has filed the said I.D.O.P.No.117 of 2016 for restitution of conjugal rights. Now he has decided not to proceed with the said I.D.O.P and to withdraw the same. However, the learned Principal District and Sessions Judge, Chengalpattu refused to receive the memo filed by the petitioner for withdrawal of the petition and he is insisting to proceed with the I.D.O.P.

3.Heard the learned counsel for the petitioner and perused the materials available on record. Though notice has been served on the respondent and her name is printed in the cause list, there is no representation for her either in person or through counsel.

4.The petitioner is seeking to withdraw I.D.O.P filed by him. Considering the contention of the learned counsel for the petitioner, the petitioner is directed to present a memo for withdrawal of the I.D.O.P before the Principal District and Sessions Judge, Chengalpattu within a period of one week from the date of receipt of a copy of this order. On filing the said

memo, the learned Principal District and Sessions Judge, Chengalpattu is directed to receive the same and pass orders within a period of one week thereafter and file compliance report before this Court.

5.With the above direction, this Transfer Civil Miscellaneous Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gsa

To

The Principal District and Session Judge,
Chengalpattu

copy to

1.The Registrar Judicial
High Court Madras 104

2.The Section Officer
Judicial Department
High Court Madras-104

+1 cc to Mr.T.Arul Advocate sr 34841

Tr.C.M.P. No.249 of 2017
and C.M.P.No.4536 of 2017

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