

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2018

CORAM :

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P. No.293 of 2018  
and  
C.M.P.Nos. 7522 & 7523 of 2018

M. Magesh

... Petitioner

Vs.

M. Kannukkinniyal

... Respondent

Prayer:- Petition has been filed under Section 24 of C.P.C., to withdraw and transfer the divorce petition in F.C.O.P. No.118 of 2017 pending before the Family Court, Erode, Erode District, to be tried along with H.M.O.P No.24 of 2018 pending on the file of the Sub Court, Attur, Salem District.

For Petitioner : Mr. M.Machavatharan

For Respondent : No Appearance

O R D E R

This petition has been filed to withdraw and transfer the divorce petition in F.C.O.P. No.118 of 2017 pending before the Family Court, Erode, Erode District, to be tried along with H.M.O.P No.24 of 2018 pending before the Sub Court, Attur, Salem District.

2. Though notice has been served on the respondent and her name is printed in the cause list, there is no representation for the respondent either in person or through counsel.

3. When this petition is taken up for hearing, the learned counsel appearing for the petitioner submitted that he has no objection to transfer H.M.O.P.No.24 of 2018 pending on the file of the Sub Court, Attur, Salem District to the Family Court, Erode District to be heard along with FCOP No. 118 of 2017 pending on its file. He has also made an endorsement to that effect.

4.Recording the submission and endorsement made by the learned counsel for the petitioner, without deciding the issue on merits, the petition in H.M.O.P.No.24 of 2018 is ordered to be withdrawn from the file of the Sub Court, Attur, Salem District and transferred to the Family Court, Erode District to be tried along with FCOP No. 118 of 2017, pending on its file. The learned Subordinate Judge, Attur, Salem District, is directed to transmit all the records pertaining to H.M.O.P.No.24 of 2018 to the file of the Family Court, Erode District, within a period of two weeks from the date of receipt of a copy of this order.

5.Accordingly, this Transfer Civil Miscellaneous Petition is ordered. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

avr

To

1.The Subordinate Judge,  
Attur, Salem.

2.The Family Court,  
Erode.

+1cc to Mr.M.Machavatharan, Advocate Sr.36295

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srg 25/06/2018