

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2018

CORAM :

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P. No.310 of 2018
and C.M.P.No.7846 of 2018

K.Seerala Karthick

... Petitioner

Vs.

M.Karthika

... Respondent

Prayer:- Petition is filed under Section 24 of C.P.C., to withdraw H.M.O.P.No.30 of 2017 pending on the file of the Additional Sub Court, Tirunelveli and transfer the same to the file of the Family Court, Chennai.

For Petitioner : Mr.M.Madhu Prakash

For Respondent : Mr.A.Arulmozhi

O R D E R

This petition is filed to withdraw H.M.O.P.No.30 of 2017 pending on the file of the Additional Sub Court, Tirunelveli and transfer the same to the file of the Family Court, Chennai.

2.When the petition is taken up for hearing, both the learned counsel for the petitioner as well as respondent agreed that H.M.O.P.No.30 of 2017 may be tried in the Additional Sub Court, Tirunelveli itself and it is sufficient, if petitioner appears before the Additional Sub Court, Tirunelveli, during trial. The learned counsel for the respondent assured that she will complete the evidence of respondent in the same week, when the trial is taken up, without any delay.

3. Recording the above agreement and undertaking of both the learned counsel appearing for the petitioner as well as respondent, the Transfer Civil Miscellaneous Petition is disposed of with the following directions:

(i) Appearance of petitioner is dispensed with for all the hearings.

(ii) Petitioner is directed to appear before the Court during trial.

(iii) Respondent is directed to co-operate in conducting and completing the trial without any delay and also directed to cross-examine the petitioner within two days of his chief-examination.

(iv) The learned counsel for the petitioner is directed to file proof affidavit of the petitioner well in advance as agreed upon during the course of argument.

(v) The learned Additional Subordinate Judge, Tirunelveli, is directed to dispose of the said H.M.O.P. on merits and in accordance with law, as expeditiously as possible in any event not later than three months from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

The Additional Subordinate Judge, Tirunelveli.

+1cc to Mr.A.Arulmozhi, Advocate sr.no.49608

+2cc to Mr.M.Madhu Prakash, Advocate sr.no.49694

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