

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 03.08.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN**

Tr.C.M.P. (MD).No.207 of 2018
and
C.M.P. (MD).No.5056 of 2018

M.Balameena ... Petitioner/ Respondent/Wife
Vs.

P. Aravind Pandian ... Respondent/ Petitioner/Husband

Prayer: The Transfer Civil Miscellaneous Petition is filed under Section 24 C.P.C to withdraw the case in HMOP.No.1986 of 2018 pending on the file of the VII Family Judge at Chennai and to transfer the same to the file of the Family Court, Madurai.

For Petitioner : Ms. C. Sundravadivel

For Respondent : Mr. P.Ganapathi Subramanian

O R D E R

This Transfer Civil Miscellaneous Petition has been filed to withdraw the case in HMOP.No.1986 of 2018, pending on the file of the VII Family Judge at Chennai and to transfer the same to the file of the Family Court, Madurai.

2. The petitioner, who is the wife of the respondent herein, is the respondent in HMOP.No.1986 of 2018, pending on the file of the Family Court, Chennai.

3. The learned counsel appearing for the respondent reported that the petitioner was already set ex parte in HMOP.No. 1986 of 2018. Subsequently, the learned counsel appearing for the petitioner submitted that the petitioner has already filed an application for setting aside the ex parte order passed in the said HMOP and the same is still pending.

4. Therefore, as on date, the prayer sought for in this Transfer Civil Miscellaneous Petition seeking to transfer the HMOP is not at all maintainable. Accordingly, this Transfer Civil Miscellaneous Petition is dismissed. However, the petitioner is given liberty to file Transfer Civil Miscellaneous Petition before this Court, after passing orders in the set aside application



filed by the petitioner herein. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(T&P)

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/True Copy/

Sub Assistant Registrar(CS-II)

To

The VII Judge, Family Court, Chennai.

+1cc to Mr.P.Ganapathi Subramanian, Advocate Sr.No.77139

TRP

VB/SV/SAR2/17.09.2018/2P/3C

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