



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2018

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THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

Tr.C.M.P. (MD) .No.292 of 2018
and C.M.P. (MD) .No.7277 of 2018

Shanmugapriya

.. Petitioner/Respondent

Vs.

Rajesh

.. Respondent/Petitioner

PRAYER: This Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P.No.351 of 2018 pending before the learned Subordinate Judge, Poonamallee and transfer the same to the file of the Family Court, Tirunelveli.

For Petitioner : Mr.P.Samuel Gunasingh

For Respondent : No appearance

O R D E R

The petitioner got married to the respondent on 06.05.2011. The relationship between them appears to have come under strain. The respondent filed H.M.O.P.No.351 of 2018 before the Sub Court, Poonamallee, for divorce. The petitioner is based in Palayamkottai. Therefore, it will be difficult for the petitioner to come over to Poonamallee and contest the proceedings there.

2.In this view of the matter, this court withdraws H.M.O.P.No.351 of 2018 from the file of the Sub Court, Poonthamallie and transfers the same to the Family Court, Tirunelveli. The respondent however need not appear on all hearings before the Family Court, Tirunelveli. But he has to appear on counselling dates and on those days of examination of witnesses or cross examination. For all other hearings, he can be represented through his counsel. The Family Court, Tirunelveli, shall issue fresh hearing notice to the respondent intimating him the next date of hearing.

3. In the result, Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition in C.M.P.(MD) No. 7277 of 2018 is closed.

Sd/-

Assistant Registrar (AS)

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Sub Assistant Registrar (CS-IV)



To

1. The Subordinate Judge, Poonamallee
2. The Judge, Family Court, Tirunelveli.

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