

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Monday, the Eleventh day of November Two Thousand Nineteen

PRESENT

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

TR CMP Nos.184 and 188 of 2019

and CMP.NO.5768 and 5786/2019

G.ABHIRAMI [PETITIONER IN ALL THE PETITIONS]

Vs

M.SIVASHANKAR [RESPONDENT IN ALL THE PETITIONS]

Petitions praying that in the circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to

(i)To withdraw HMOP No.138/2016 pending on the file of the Additional Family court Coimbatore and transfer the same to the file of Sub Court, Tirupur or any other Family Court (in TR CMP.184/2019) and;

(ii)To stay all further proceedings in HMOP No.138/2016 pending on the file of the Additional Family Court, Coimbatore (in CMP.5768/2019) pending disposal of the above TR CMP.184/2019 respectively.

(iii)To withdraw HMOP No.782/2016 pending on the file of the Additional Family court, Coimbatore and transfer the same to the file of Sub court, Tirupur (in TR CMP.188/2019) and;

(iv) To stay all further proceedings in HMOP No.782/2017 pending on the file of the Additional Family court, Coimbatore (in CMP.5786/2019) pending disposal of the above Transfer CMP.188/2019 respectively.

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of M/S.S.D.S.PHILLIP, Advocate for the petitioner in all the petitions and of MR.B.R.SHANKARALINGAM, Advocate for the Respondent in all the petitions the court made the following order:-

The transfer Civil Miscellaneous Petitions are posted today based on the letter written by the learned Principal District Judge, Tiruppur for extension of time for disposal of the cases in HMOP. No.262 of 2019 and 263 of 2019 and M.C.No.1 of 2019 on the file of the Additional Family Court, Coimbatore to the file of the Principal Subordinate court, Tiruppur within a period of three months from the date of receipt of bundles.

2. The present Transfer Civil Miscellaneous Petitions have filed by the petitioner to withdraw HMOP. Nos.138 of 2016 and 782 of 2017 and M.C.No.1 of 2019 pending on the file of the Additional Family Court, Coimbatore and transfer the same to the file of the Sub Court, Tiruppur.

3. The learned Principal District Judge, Tiruppur has sent a request vide letter dated 24.10.2019, to the Registry seeking permission to extend the time for disposal of the above said cases.

4. The learned District Judge, Tiruppur has submitted that the case records have been received on 10.07.2019 and the same were re-numbered as HMOP. Nos.262 and 263 of 2019 and M.C.No.1 of 2019 respectively. Thereafter, notices have been issued to both the parties as they are living in Bangaluru and the same was served on them and they have appeared before the court on 27.08.2019. Hence the Court could not dispose of the cases within the stipulated time.

5. Now the learned District Judge, Tiruppur, seeking further extension of time to dispose of the cases.

6. In view of the above letter, this Court is inclined to extend the time to dispose of the cases in HMOP. Nos.262 and 263 of 2019 and M.C.No.1 of 2019 within a period of three months from the date of receipt of a copy of this order. The parties are directed to cooperate with the said proceedings. It is made clear that no further extension of time will be given.

-sd/-

11/11/2019

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDGE,
ADDITIONAL FAMILY COURT,
COIMBATORE.

2 THE PRINCIPAL DISTRICT JUDGE,
TIRUPPUR.

3 THE DISTRICT JUDGE,
TIRUPPUR.

C.C. to M/S.S.D.S.PHILLIP Advocate on payment of necessary
charges

Order
in

TR CMP.Nos.184 and 188/2019

and CMP.Nos.5768 and 5786 /2019

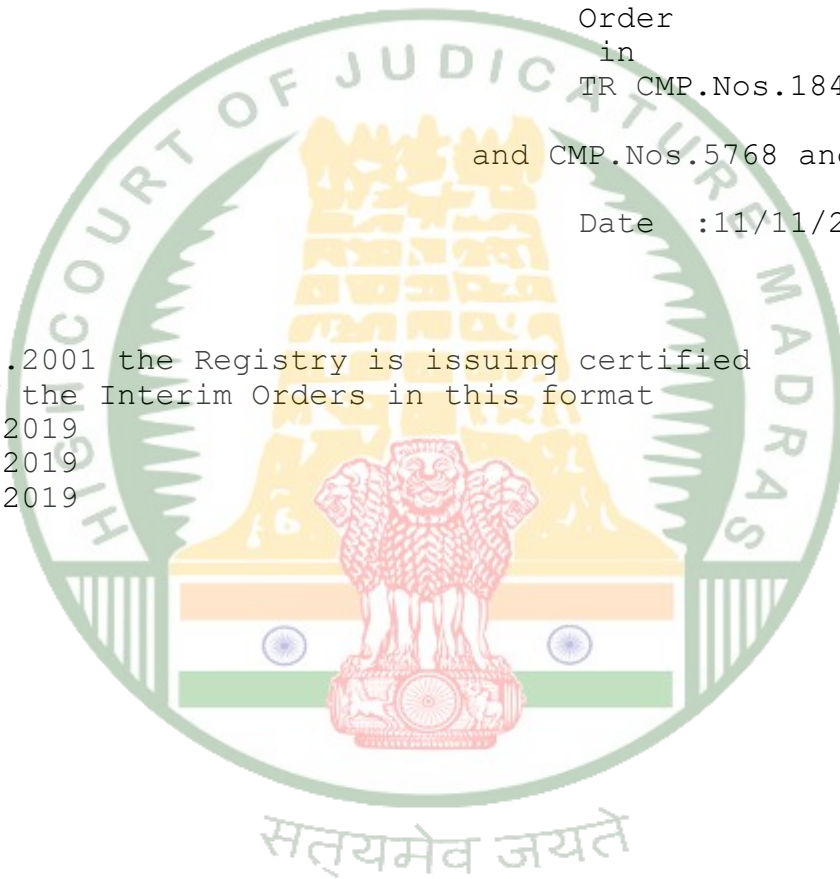
Date :11/11/2019

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format

RRI 11/03/2019

RRI 28/03/2019

RRI 29/11/2019



WEB COPY