

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr.C.M.P.No.200 of 2019

M.Selvarani .. Petitioner

-vs-

V.Sridharan .. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw the H.M.O.P.No.459 of 2018 pending on the file of the Subordinate Court at Tiruchirappalli and transfer the same to the file of Family Court, Krishnagiri.

For Petitioner :: Dr.G.Babu

For Respondent :: No appearance

ORDER

This transfer civil miscellaneous petition was filed under Section 24 of the Code of Civil Procedure by the petitioner to withdraw the H.M.O.P.No.459 of 2018 pending on the file of the Subordinate Court at Tiruchirappalli to the Family Court at Krishnagiri. After this Court passed an order on 19.6.2019 allowing the prayer, the learned Principal Subordinate Judge, Tiruchirappalli has written a letter to the Registrar General of this Court stating that the H.M.O.P.No.459 of 2018 is not pending on the file of Sub Court, Tiruchirappalli. The letter dated 22.10.2019 also says that on verification of e-Court checking, the case in H.M.O.P.No.459 of 2018 is pending on the file of the Family Court, Tiruchirappalli.

2. When the matter has been taken up for clarification, the learned counsel for the petitioner also states that a mistake had crept in at the time of filing the petition.

3. When the H.M.O.P.No.459 of 2018 is not at all pending on the file of the Sub Court, Tiruchirappalli, no care or due diligence has been taken by the learned counsel while filing the petition, as a result not only the valuable time of this Court,

but also the precious time of the Sub Court, Tiruchirappalli also has been wasted. Therefore, the order dated 19.6.2019 is rescinded and the transfer civil miscellaneous petition stands dismissed with costs of Rs.5,000/- (Rupees five thousand only) payable by the petitioner's counsel to the Secretary, High Court Legal Services Committee within ten days. Consequently, C.M.P.No.6129 of 2019 is also dismissed.

Sd/-
Assistant Registrar

// True Copy//

Sub Assistant Registrar

ss

To

1. The Principal Subordinate Judge
Tiruchirappalli.
2. The Family Court Judge
Krishnagiri.
3. The Secretary,
High Court Legal Services Committee,
Chennai.

Tr.C.M.P.No.200 of 2019

AD (CO)
CSR(20/12/2019)