



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 28.06.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr.C.M.P.No.302 of 2019 and
CMP.No.8729 of 2019

Shyamala Devi

... Petitioner

vs.

K.Ramesh

... Respondent

Civil Miscellaneous Appeal filed under Section 24 of C.P.C. Seeking to withdraw the Proceedings in H.M.O.P.No.114 of 2017 on the file of the Family Court, Villupuram and transfer the same to the IV Additional Family Court, Chennai.

For Petitioner : M/s.M.E.V.Thulasi

For respondent : Mr.S.Mohana Sundara Rajan

JUDGMENT

This Transfer Civil Miscellaneous Petition has been filed seeking transfer of the pending HMOP.No.114/2017 on the file of the Family Court, Villupuram to to the IV Additional Family Court, Chennai.

2. When the matter was taken up, the learned Counsel appearing for the respondent husband opposing the prayer stated that there is nothing pending on the file of the learned Family Court, Villupuram since by an order dated 13.08.2018, the learned Family Court has allowed the petition granting a decree for divorce and the marriage solemnized between the petitioner and the respondent on 11.09.2011 has already been dissolved on the ground of cruelty. The learned Counsel for the respondent has also produced an order dated 13.08.2018 passed by the learned



Family Court, Villupuram that shows that the HMOP.No.114/2017 was allowed on 13.8.2018. Although an application has been filed to set aside the ex-parte decree, this Court is not inclined to entertain the same. Therefore, the Transfer Civil Miscellaneous Petition fails and the same is accordingly dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

tsi

To

The Judge,
Family Court, Villupuram.

+lcc to Mr.S.Mohanasundararajan, Advocate Sr.54264
+lcc to Mr.M.E.V.Thulasi, Advocate Sr.54121

Tr.CMP.No.302 of 2019

cnr[co]
srg 14/08/2019