

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr.C.M.P.No.448 of 2019

R.Sundaram

.. Petitioner

-vs-

Kalaivani @ Nachiyammal
W/o R.Sundaram

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw the H.M.O.P.No.175 of 2018 on the file of Sub Court, Paramathivelur and to transfer the same to the file of Family Court, Erode to be tried along with F.C.O.P.No.397 of 2018 pending on its file.

For Petitioner :: Mr.S.Kaithamalai Kumaran

For Respondent :: Mr.M.Guruprasad

ORDER

Mr.R.Sundaram, husband of Mrs.Kalaivani @ Nachiyammal, the respondent herein has come to this Court with a prayer to withdraw the H.M.O.P.No.175 of 2018 filed for divorce under Section 13(1)(ia) of the Hindu Marriage Act pending on the file of Sub Court, Paramathivelur to be transferred to the file of Family Court, Erode, where the wife has filed F.C.O.P.No.397 of 2018 for restitution of conjugal rights and also M.C.No.64 of 2018 for maintenance.

2. When the matter was taken up, the learned counsel for the respondent-wife submitted that he has no objection for allowing the prayer of the petitioner.

3. In view of the above, with the consent of the parties, the H.M.O.P.No.175 of 2018 pending on the file of Sub Court, Paramathivelur is withdrawn and transferred to the Family Court, Erode to be tried along with F.C.O.P.No.397 of 2018 and M.C.No.64 of 2018 for a common trial on merits. Accordingly, the transfer civil miscellaneous petition stands allowed. Consequently, C.M.P.No.12625 of 2019 is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Subordinate Judge,
Paramathivelur.
2. The Family Court Judge,
Erode.

+1cc to Mr.M.GuruPrasad, Advocate Sr.61685

+1cc to M/s.S.Kaithamalai Kumaran, Advocate Sr.61406

Tr.C.M.P.No.448 of 2019

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srg 28/08/2019

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