



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.04.2019

CORAM

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THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

TR.C.M.P(MD)No.47 of 2019

and

C.M.P(MD)No.1377 of 2019

Poornima @ Ragavi Hariharan .. Petitioner/Respondent
Vs.

Hariharan .. Respondent/ Petitioner

PRAYER: Petition filed under Section 24 of Civil Procedure Code, 1908, praying to withdraw H.M.O.P.No.5149 of 2018 on the file of the Family Court No.IV, Chennai and transfer the same to the file of the Family Court, Madurai.

For petitioner : Mr.VS.Karthi
for M/s.VS.Karthi Associates.
For respondent : Mr.N.Anantha Padmanaban
for M/s.APN Law Associates.

ORDER

The respondent / husband filed H.M.O.P.No.5149 of 2018 before the Family Court No.IV, Chennai, seeking restitution of conjugal rights, against the petitioner / wife. This Transfer Civil Miscellaneous Petition has been filed by the petitioner / wife seeking transfer of H.M.O.P.No.5149 of 2018 from the file of the Family Court No.IV, Chennai, to the file of the Family Court, Madurai.

2.Today, when the matter is taken up for hearing, the learned counsel appearing for the respondent / husband, on instructions, would submit that H.M.O.P.No.5149 of 2018 has been withdrawn by the respondent / husband and therefore, nothing survives for adjudication in the present transfer civil miscellaneous petition. He has also made an endorsement to that effect.

3.The learned counsel appearing for the petitioner/wife would submit that the case is pending and the respondent / husband has not withdrawn the case.

4.Recording the specific submission made by the learned counsel for the respondent / husband that the case has been withdrawn by the respondent / husband and the endorsement so made, this transfer civil miscellaneous petition is closed. It is made clear that if the representation made on the side of the respondent / husband is



found to be false, the matter will be viewed seriously. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Crl.Side)

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// True Copy //

Sub Assistant Registrar(CS-)

To

1.The Judge,
Family Court No.IV,
Chennai.

2.The Judge,
Family Court,
Madurai.

3.The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.(2 copies)

+1cc to Mr.V.S.Karth, Advocate, SR.No.58459

ORDER MADE IN
TR.C.M.P (MD) No.47 of 2019
and
C.M.P (MD) No.1377 of 2019
03.04.2019

SP/29.04.2019/ 2P/6C