



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.11.2019

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P. (MD)No.218 of 2019

and

CMP(MD) No.5134 of 2019

M.Madhumitha

... Petitioner/Respondent/Respondent

Vs.

S.V.Bhuvanesh @ Harish Bhavan ... Respondent/ Petitioner/ Petitioner

PRAYER:- Petition filed under Section 24 of Civil Procedure Code, to withdraw the I.A.No.34 of 2019 in unnumbered H.M.O.P.No.-/2019 before the Sub Court, Uthamapalayam, Theni District and transfer to the Family Court, Trichy, for disposal of the same in accordance with law.

For Petitioner : Mr.M.Kumar

For Respondent : Mr.A.K.Manickam

ORDER

The above petition has been filed by the wife seeking transfer of I.A.No.34 of 2019 in unnumbered H.M.O.P.No. - /2019 from the file of Sub Court, Uthamapalayam, Theni District, to the file of Family Court, Trichy.

2.The learned counsel for the respondent would submit that the petitioner's father is a Lawyer and he is having extensive practising in Trichy and now the petitioner's brother is also going to get enrolled. Therefore, the respondent is apprehensive, if the petition is transferred to the file of the Family Court, Trichy, since the petitioner's father has considerable clout at Trichy.

3.Considering the fact that the matter is now pending before the Sub Court, Uthamapalayam, Theni District, the presence of the petitioner for every hearing is not required and it would suffice that she engages the service of counsel to appear on her behalf and she can appear in person only for adducing evidence. It is made clear that the respondent shall complete the cross-examination of the petitioner on the date she appears before the Court for adducing



4. With these observations, this Transfer Civil Miscellaneous Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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// True Copy //

Sd/-

Assistant Registrar (CS-II)

Sub Assistant Registrar (CS)

cp

To

Sub Court,
Uthamapalayam,
Theni District,

+1 CC to Mr.A.K.MANICKAM, Advocate (SR-99317[F] dated 19/11/2019)

+1 CC to Mr.M.KUMAR, Advocate (SR-99502[F] dated 19/11/2019)

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VB(16.12.2019) 2P 4C