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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.10.2019**

CORAM :

THE HONOURABLE MS.JUSTICE **P.T.ASHA**

TR.C.M.P.(MD) No.441 of 2016
and
C.M.P.(MD) No.8846 of 2016

Amutha ... Petitioner

vs.

Vimalan ... Respondent

Prayer:-This Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw and transfer the proceedings in HMOP.No.198 of 2015 on the file of the Subordinate Judge, Uthamapalayam to the file of Subordinate Judge, Sathyamangalam.

For Petitioner : No appearance
For Respondent : Mr.A.K.Manickam

ORDER

The above Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking to transfer the petition in HMOP.No.198 of 2015 filed by the respondent/husband for divorce on the file of the Sub Court, Uthamapalayam to the file of the Sub Court, Sathyamangalam.

2.No representation on behalf of the petitioner.

3.From the records, it is seen that this Court by order dated 14.10.2019, directed the Registry to verify as to whether any other counsel has filed Vakalat for the petitioner. Otherwise, the Registry is directed to print the name of the petitioner and to post the matter today (16.10.2019).

4.When the matter is taken up for hearing today, Mr.G.Anjinathan, earlier counsel for the petitioner has filed a memo by stating that he has given a change of Vakalat on 15.02.2018 itself. It is therefore evident that the petitioner is not keen in prosecuting the petition. Hence, this Court has no other option but to dismiss this petition for non-prosecution.

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5.In view of the above, this Transfer Civil Miscellaneous Petition is dismissed for non-prosecution. The learned Subordinate Judge, Uthamapalayam, is directed to proceed with the hearing of HMOP.No.198 of 2015 and dispose of the same within a period of five months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is also closed.

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Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

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To

The Subordinate Judge,
Uthamapalayam.

+1 CC to M/s.A.K.MANICKAM, Advocate SR-92759.

TR.C.M.P.(MD) No.441 of 2016
16.10.2019

CS(22.11.2019) 2P 3C

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