

Tr.C.M.P.No.51 of 2020

S.VAIDYANATHAN

The matter is listed today under the caption "For Clarification" at the instance of the Registry of this Court.

2. Registry of this Court received a letter dated 09.09.2020 from the Family Court Judge, Erode, stating that though this Court had transferred F.C.O.P.No.479 of 2017 from the file of the Family Court, Erode to the file of Subordinate Court, Pollachi, the said order copy was received by the Family Court Judge, Erode only on 17.08.2020. However, in the interregnum period, both parties had resolved their disputes amicably and withdrew the petition on 13.03.2020, i.e., prior to the receipt of a copy of the order.

3. Learned counsel for the petitioner stated that the parties have entered into a compromise, pursuant to which, there was a happy reunion and therefore, the husband had withdrawn the petition, which was originally filed by him for divorce.

4. Naturally, the Family Court Judge, Erode could not have come to know of the order passed by this Court on 11.02.2020, unless the same is produced by the

S.VAIDYANATHAN,J.

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parties concerned or forwarded by the Registry of this Court. At the same time, it
is incumbent on the part of the parties to have brought to the attention of the
Trial Court about the order passed by this Court.

5. Be that as it may, taking note of the submission of the learned counsel
for the petitioner that the couple started leading a joyful matrimonial life and out
of ignorant and in order to give quietus to the issue, the fact of transfer of the
case was not informed to the Family Court Judge, Erode, this Court is of the view
that there is no necessity to transfer the case to Subordinate Court, Pollachi as
prayed for by the petitioner / wife. **Accordingly, the order passed by this Court
on 11.02.2020 in Tr.C.M.P.No.51 of 2020 is hereby recalled** and there is no
fault on the part of the Trial Court in closing the petition as not pressed, pursuant
to the compromise memo filed by the parties.

21.09.2020

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Note: Registry is directed to forward a copy of this order to both Trial Courts,
namely, the Family Court, Erode and the Subordinate Court, Pollachi forthwith.

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