

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

Tr.C.M.P.Nos.171 and 172 of 2020
and C.M.P.Nos.5647 and 5651 of 2020

G.Abhirami

..Petitioner in both Tr.C.M.Ps

Vs.

M.Sivashankar

..Respondent in both Tr.C.M.Ps

Petitions filed under Section 24 of the Code of Civil Procedure to withdraw H.M.O.P.Nos.263 and 262 of 2019 pending on the file of the Principal Subordinate Court, Tiruppur and transfer the same to the file of the Principal Family Court, Coimbatore or any other Family Court.

For Petitioner : Mr.Duraikkan S.Philip (in both Tr.C.M.Ps)

COMMON ORDER

The petitioner, who is the wife of the respondent, has filed the above Transfer Civil Miscellaneous Petitions to withdraw the Original Petitions in H.M.O.P.Nos.263 and 262 of 2019 pending on the file of the Principal Subordinate Court, Tiruppur and transfer the same to the Principal Family Court, Coimbatore or any other Family Court.

2.It is not in dispute that this Court, by order dated 05.04.2019, had directed the trial Court to dispose of both the Original Petitions within a period of three months, which was also subsequently extended by another three months by this Court.

3.The petitioner contended that she suffered a leg injury and therefore, she could not present herself for the evidence before the trial Court, therefore, the time limit fixed by this Court may be extended by another three weeks, enabling her to complete her evidence.

4.The learned counsel for the petitioner submitted that the above Transfer Civil Miscellaneous Petitions may be rejected and the trial Court may be directed to dispose of both the H.M.O.Ps within three weeks. The learned counsel for the petitioner also submitted that the petitioner would appear before the trial Court for adducing evidence on 10.03.2020.

5.Having regard to the submission made by the learned counsel for the petitioner, both the Transfer Civil Miscellaneous Petitions are dismissed. I direct the Principal Subordinate Court, Tiruppur to dispose of the H.M.O.P.Nos.263 and 262 of 2019 on merits and in accordance with law on or before 31.03.2020. The petitioner shall appear before the Principal Subordinate Court, Tiruppur on 10.03.2020. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

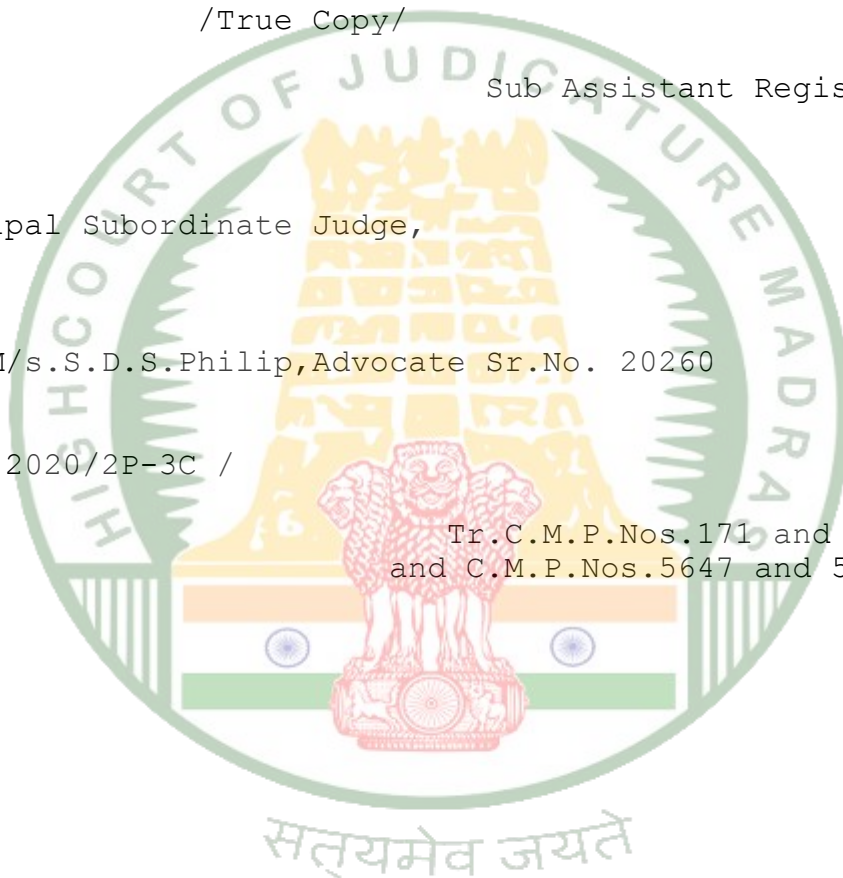
To

The Principal Subordinate Judge,
Tiruppur

+1 cc to M/s.S.D.S.Philip,Advocate Sr.No. 20260

AKM/06.03.2020/2P-3C /

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