

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Transfer C.M.P.No.951 of 2019 and
C.M.P. No.25848 of 2019

Gowthami

...Petitioner

vs.

J.Shankar

...Respondent

Tr.C.M.P. filed under Section 24 of C.P.C., to withdraw H.M.O.P. No.47 of 2019 on the file of Subordinate Judge, Gobichettipalayam, Erode District and transfer it to Addl. Judge, Family Court, Coimbatore to be tried along with M.C. No.36 of 2019.

For Petitioner : Mr.R.Vasudevan

For Respondent : Mr.T.Ganesan

O R D E R

When the matter is taken up for hearing, it is represented by the learned counsel for the petitioner that the petitioner has already been set ex-parte before the lower court. It is further represented that a petition has already been filed to set aside the ex-parte order. However, as on date no decision has been taken on that application.

2. Since the petitioner has already been set ex-parte, this court is not inclined to grant the relief sought for in the present transfer civil miscellaneous petition. However liberty is granted to the petitioner, to move a fresh application, in case a decision is taken on the petition filed against the ex-parte order and the matter is restored on file.

3. Accordingly, the Transfer Civil Miscellaneous Petition is dismissed. No costs. Consequently, the connected C.M.P.No.25848 of 2019 is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To :

1.The Subordinate Judge,
Gobichettipalayam, Erode District.

2.The Additional Judge,
Family Court, Coimbatore.

+1cc to Mr.D.Magesh, Advocate Sr.13962

+1cc to Mr.R.Vasudevan, Advocate Sr.13425

Tr.C.M.P.No.951 of 2019 and
C.M.P. No.25848 of 2019

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srg 17/03/2020

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