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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2021

CORAM:

THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

Tr.C.M.P.No.143 of 2021
and
C.M.P.No.4249 of 2021

[Through video conferencing]

Dr.S.Kavitha ... Petitioner/Respondent

-vs-

Dr.M.Bhuvaneswaran ... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw and transfer the petition for divorce in H.M.O.P.No.896 of 2020, pending on the file of the learned Additional Principal Family Judge, Coimbatore and transfer the same to the Family Court, Namakkal.

For Petitioner : Mr.S.Senthil

For Respondent : Mr.S.Thangavel

O R D E R

The learned counsel for the petitioner and the respondent present.

2.This Transfer Civil Miscellaneous petition has been filed by the petitioner/wife to withdraw the petition in H.M.O.P.No.896 of 2020 filed by the respondent/husband for divorce, pending on the file of the learned Additional Principal Family Judge, Coimbatore and transfer the same to the Family Court, Namakkal.

3.The learned counsel for the respondent submitted that already a Memo dated 04.10.2021 has been filed by the respondent herein before the learned Additional Family Judge, Coimbatore for withdrawal of H.M.O.P.No.896 of 2020. It is further submitted that since this Transfer Civil Miscellaneous Petition is pending the learned Judge, Family Court, Coimbatore is not considering the Memo.



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4.The learned counsel for the petitioner herein submitted that the Additional Family Judge, Coimbatore may be permitted to consider the Memo for withdrawal dated 04.10.2021. The learned counsel for the respondent has agreed for the same.

5.In view of the copy of the Memo dated 04.10.2021 filed by the respondent herein and the submissions made by the counsels for parties, nothing survives in the present Transfer Miscellaneous Petition for adjudication.

6.Accordingly, this Transfer Miscellaneous Petition is dismissed. The Additional Family Judge, Additional Family Court, Coimbatore is directed to consider the Memo of withdrawal dated 04.10.2021 filed by the respondent herein and pass suitable orders as expeditiously as possible. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

ssi
To:

The Additional Principal Judge,
Family Court,
Coimbatore.

+lcc to Mr.S.Senthil, Advocate Sr.53650
+lcc to Mr.S.Thangavel, Advocate Sr.53695

Tr.C.M.P.No.143 of 2021

gj[co]
srg 17/11/2021