



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2021

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

WEB COPY

Tr.C.M.P. (MD) No.484 of 2021

and

C.M.P. (MD) No.9073 of 2021

Vaijayanthi

.. Petitioner/Respondent - Wife

-vs-

S.Mahendran

.. Respondent/Petitioner-Husband

Prayer :- Petition filed under Section 24 of Code of Civil Procedure, to withdraw the case in H.M.O.P.No.182 2021 on the file of the Sub Court, Thirumangalam and transfer the same to the Family Court, Sivagangai.

For Petitioner : Mr.S.M.Anantha Murugan
For Respondent : Mr.B.Arun

ORDER

The above petition is filed for transferring the H.M.O.P.No.182 of 2021 on the file of the Sub Court, Thirumangalam to the file of the Family Court, Sivagangai.

2.The learned counsel for the respondent would submit that he has no objection for allowing the petition. However, considering the fact the petitioner had already lodged the criminal complaint against him before the Inspector of Police, Sivagangai and fearing a threat to his life, the petitioner should be exempted from appearing on every hearing, since the matter is being transferred from the Sub Court to the Family court, where the presence of the parties for every hearing was must.

3.Taking into account the above submission, this Transfer Civil Miscellaneous Petition is ordered and H.M.O.P.No.182 of 2021 is withdrawn from the file of the Sub Court, Thirumangalam and transferred to the file of the Family Court, Sivagangai, on condition that the presence of the respondent/husband for every hearing be dispensed with and he will present in the Court only for adducing evidence. The petitioner has also undertaken to complete his cross-examination on the very same day that he



submits himself for chief examination. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (WRITS)

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Sub Assistant Registrar (CS)

cp

Note:-

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To

1. The Subordinate Judge,
Thirumangalam.

2. The Judge,
Family Court,
Sivagangai.

+1 CC to M/s.S.M.ANANTHA MURUGAN, Advocate (SR-39165[F] dated 16/12/2021)

+1 CC to M/s.B.ARUN, Advocate (SR-39325[F] dated 17/12/2021)

Tr.C.M.P. (MD) No.484 of 2021
and
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TSK (CO)
SB (20.01.2022) 2P 5C