



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2022

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

TR.C.M.P.NO.99 OF 2022

AND

C.M.P.NO.1870 OF 2022

Manimegalai

...Petitioner

Vs.

P.Rameshkumar

...Respondent

PRAYER:

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, praying to withdraw the HMOP.No.30 of 2020 pending on the file of the Sub Court, Mettur and transfer the same to Family Court, Mannargudi.

For Petitioner : Mr.B.Jawahar

For Respondent : Mr.C.Deepak Kumar

O R D E R

This Transfer Civil Miscellaneous Petition has been filed seeking to withdraw HMOP.No.30 of 2020 pending on the file of the Sub Court, Mettur and transfer the same to Family Court, Mannargudi.

2. The learned counsel for the petitioner submitted that the matter is posted at the stage of evidence. PW1 chief examination has been completed and was posted for cross examination on 24.02.2022. The cross examination had not taken place on the said date, since the petitioner had not cross examined the respondent/ husband and the cross examination of PW1 was closed.

3. In view of the above submission, there shall be a direction to the Sub-Judge, Mettur to suo motu re-open the cross examination of PW1. The learned counsel for the respondent has



no objection to the same. The cross examination of PW1 shall be completed by 03.06.2022 by the petitioner/ wife herein. It is further made clear that once the wife appears for cross examination, on the very same day, the cross examination shall be completed without seeking adjournment. Considering the fact that the petitioner is working as a teacher, in case the respondent / husband does not come forward to cross-examine her when she appears to let in evidence, the respondent would have to pay costs of Rs.10,000/- to the wife for every adjournment he takes.

4. With the above direction, this Transfer Civil Miscellaneous Petition is dismissed. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

dsa

To

The Sub Judge, Mettur.

Tr.C.M.P.No.99 of 2022

JPII (CO)
PM/20/04/2022