



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2022

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THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Tr.C.M.P(MD)No.419 of 2021
and
C.M.P(MD) Nos.8188 & 8189 of 2021

K.Maheswari ... Petitioner/Respondent
-Vs-

K.Velkumar ... Respondent/Petitioner

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw H.M.O.P.No.172 of 2021, on the file of the Family Judge, Thoothukudi and to transfer the same to the file of the Subordinate Court, Sivakasi.

For Petitioner : No appearance
For Respondent : Mrs.C.M.Benazir Begum

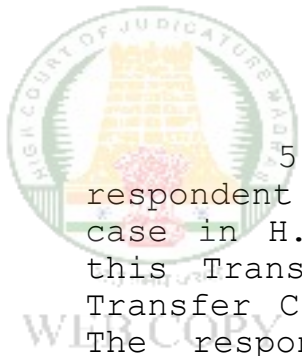
O R D E R

This Transfer Civil Miscellaneous Petition has been filed seeking transfer of the proceedings in H.M.O.P.No.172 of 2021 , from the file of the Family Court, Thoothukudi to Subordinate Court, Sivakasi.

2.Today(22.06.2022), when the matter is taken up for hearing, there is no representation for the petitioner.

3.The learned counsel appearing for the respondent/husband submits that the husband is intended to withdraw the case in H.M.O.P.No. 172 of 2021 filed by him before the Family Court, Thoothukudi and he has also circulated a memo to that effect before the trial Court. But the same was returned by the learned trial Judge on the ground of pendency of this Transfer Civil Miscellaneous Petition before this Court. Hence, the learned counsel for the respondent/husband filed a memo before this Court, seeking permission to withdraw the case filed by him in H.M.O.P.No.172 of 2021 before the Family Court, Thoothukudi.

4. Pendency of this Transfer Civil Miscellaneous Petition is not a bar for the parties to withdraw the case filed by them before the trial Court.



5. In view of the stand taken by the learned counsel for the respondent that the respondent/husband is inclined to withdraw the case in H.M.O.P.No. 172 of 2021, no further order is required in this Transfer Civil Miscellaneous Petition and accordingly, this Transfer Civil Miscellaneous Petition is dismissed as infructuous. The respondent/husband is permitted to withdraw the case in H.M.O.P.No.172 of 2021 pending before the Family Court, Thoothukudi. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

vrn

To

1.The Judge, Family Court, Thoothukudi.

Copy to

The Record Keeper, V.R.Section,
Madurai Bench of Madras High Court, Madurai.(2 copies)

Order made in
Tr.C.M.P(MD)No.419 of 2021
15.06.2022

ks (CO)
TR(05.07.2022) 2P 4C