



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2022

CORAM:

WEB COPY

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P. (MD) No.426 of 2021
and
C.M.P. (MD) No.8319 of 2021

Sathya .. Petitioner/Respondent

-vs-

A.Nandakumar .. Respondent/Petitioner

Prayer :- Petition filed under Section 24 Civil Procedure Code to withdraw H.M.O.P.No.108 of 2020 on the file of the 2nd Additional Subordinate Court, Coimbatore and transfer the same to the file of Family Court, Madurai.

[Amended vide Court order dated 08.10.2021 made in C.M.P. (MD) No.8524 of 2021 in Tr.C.M.P. (MD) No.426 of 2021]

For Petitioner : Mr.R.Karunanidhi
For Respondent : Mr.N.Savariganeshan

ORDER

This petition is filed by the wife seeking transfer of the petition in H.M.O.P.No.108 of 2020 filed by the husband from the file of the learned II- Additional Subordinate Court, Coimbatore to the file of Family Court, Madurai.

2. It is informed by the learned counsel for the petitioner that the petitioner has been set ex-parte and a petition for setting aside the ex-parte order is coming up before the learned II- Additional Subordinate Judge, Coimbatore tomorrow (03.02.2022).

3. Learned counsel for the respondent/husband assures this Court that the respondent would be giving no objection for the order being set aside and on instructions, he would submit that the respondent has no objection to the transfer being ordered.

4. In the light of the above, this Court is inclined to order transfer. Therefore, after the ex-parte order is set aside, H.M.O.P.No.108 of 2020 pending on the file of the learned II- Additional Subordinate Court, Coimbatore shall be withdrawn and transferred to the file of the Family Court, Madurai.



5. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar

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 II-Additional subordinate Judge,
Coimbatore.

2.The Family Judge, Madurai.

+1 CC to M/s.N.SAVARI GANESHAN, Advocate (SR-4006[F] dated 03/02/2022)

Tr.C.M.P. (MD) No.426 of 2021

Dated: 02.02.2022

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MS/15.02.2022/2P.4C