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Tr.CMP.No.243 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2023

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Tr.CMP.No.243 of 2021

and

CMP.No.6690 of 2021

Chennappan

.. Petitioner

Vs.

Kalaiyarasi

.. Respondent

PRAYER: This Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C to withdraw and transfer the H.M.O.P.No.965 of 2020 before the Principal District Family Court, Coimbatore to the Subordinate Court, Uthangarai.

For Petitioner : Mr.J.Ramesh

For Respondent : No appearance

ORDER

This Transfer Civil Miscellaneous Petition has been filed to withdraw and transfer H.M.O.P.No.965 of 2020 before the Principal District



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Family Court, Coimbatore to the Subordinate Court, Uthangarai, wherein, the petitioner/husband filed a petition H.M.O.P.No.8 of 2020 for restitution of conjugal rights.

2. The Learned Counsel for the petitioner/husband submitted that the divorce petition was filed in H.M.O.P.No.965 of 2020 under Section 13(1)(ia) of the Hindu Marriage Act, 1955, by his wife and the same was disposed on 16.12.2022. Therefore, nothing survives for further consideration in this Transfer Civil Miscellaneous Petition. However, the petitioner is directed to file a fresh application if the said divorce petition is restored.

3. In view of the submission made by the learned counsel for the petitioner/husband, the Transfer Civil Miscellaneous Petition is dismissed as infructuous. Consequently, the connected Miscellaneous Petition is closed. No costs.

03.01.2023

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Index: Yes/No

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Speaking order/Non-speaking order
Neutral Citation: Yes/No



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To

1. The Principal District Family Court,
Coimbatore.
2. The Subordinate Court, Uthangarai.
3. The Section Officer,
V.R. Section,
High Court, Madras.



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V.BHAVANI SUBBAROYAN,J.

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