



Tr.C.M.P.(MD)No.65 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :08.06.2023

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P.(MD).No.65 of 2023

and

C.M.P.(MD).No.1550 of 2023

B.Banurekha

... Petitioner

Vs.

T.Senthil

... Respondent

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P.No.726 of 2022 pending on the file of the Family Court, Tiruchirappalli and transfer the same to the Family Court, Mannargudi for disposal.

(prayer amended vide Court order dated 28.04.2023 made in C.M.P. (MD).No.5739 of 2023 in Tr.C.M.P.(MD).No.65 of 2023 by CSNJ)

For Petitioner :Mr.D.Anbarasu

For Respondent :Mr.P.Ganapathi Subramani



Tr.C.M.P.(MD)No.65 of 2023

ORDER

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This petition is filed to withdraw the H.M.O.P.No.726 of 2022 pending on the file of the Family Court, Tiruchirappalli and transfer the same to the Family Court, Mannargudi for disposal.

2. This case is listed under the caption 'for being mentioned' at the instance of the learned counsel for the respondent who has filed vakalat after the final order was dictated in open Court on 06.06.2023.

3. It is informed by the learned counsel for the respondent that a memo has been filed in H.M.O.P.No.726 of 2022 whereby, he has undertaken to withdraw the above case.

4. The learned counsel for the petitioner on the other hand would submit that the respondent is guilty of forgery and perjury. The learned counsel for the petitioner would submit that the case be transferred to Family Court, Mannargudi as was prayed in Tr.C.M.P.(MD).No.65 of 2023.



Tr.C.M.P.(MD)No.65 of 2023

5. I do not find any merits in transferring the case any longer to the Family Court, Mannargudi as the respondent has filed a memo to withdraw the H.M.O.P.No.726 of 2022. However, the respondent is at liberty to initiate any appropriate proceedings if advised with regard to alleged forgery and perjury.

6. In view of the above observations, this Transfer Civil Miscellaneous Petition stands closed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

08.06.2023

NCC :Yes / No
Index :Yes / No

sbm



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Tr.C.M.P.(MD)No.65 of 2023

C.SARAVANAN, J.

sbn

Tr.C.M.P.(MD).No.65 of 2023

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