

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.03.2023

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P.(MD)No.419 of 2022

and

C.M.P.(MD)No.6842 of 2022

Parvathy, D/o.Thirukanna Thevar

.. Petitioner

Versus

Ponramesh, S/o.Karuppasamy

.. Respondent

Prayer :- Petition filed under Section 24 of the Code of Civil Procedure, to withdraw H.M.O.P.No.88 of 2022, on the file of the II Additional Sub Court, Coimbatore, to be heard and tried on the file of the Family Court, Ramanathapuram District, for disposal of the same on merits and in accordance with law.

For Petitioner : Mr.M.Mahaboob Athiff

For Respondent : Mr.R.Suriyanarayanan

ORDER

This Petition has been filed to withdraw H.M.O.P.No.88 of 2022, on the file of the II Additional Sub Court, Coimbatore and to transfer the same to the file of the Family Court, Ramanathapuram District.

2. The learned counsel for the respondent submits that the respondent has no objection for transferring the H.M.O.P. to Ramanathapuram. However, the case may be transferred to any other Sub Court in Ramanathapuram, as otherwise the respondent will be forced to appear every hearings before the Family Court, Ramanathapuram.

3. I have considered the arguments advanced by the learned counsel for the petitioner and the learned counsel for the respondent.

4. In my view, since the Family Court is there in Ramanathapuram, the case can be transferred only to the Family Court, Ramanathapuram instead of Sub Court, Ramanathapuram. Therefore, this Transfer Civil Miscellaneous Petition is allowed, by directing the learned II Additional Sub Judge, Coimbatore, to transfer H.M.O.P.No.88 of 2022 to the Family Court, Ramanathapuram. The presence of the respondent and the petitioner shall be dispensed with for routine hearings and they shall appear before the Court below through their counsels. However, they shall appear before the Court as and when required. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
smn2

29.03.2023

To

1.The II Additional Sub Judge,
Coimbatore.

2.The Judge,
Family Court,
Ramanathapuram District.

Tr.C.M.P.(MD)No.419 of 2022

C.SARAVANAN, J.

smn2

Order made in
Tr.C.M.P.(MD)No.419 of 2022

29.03.2023