



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2022

CORAM

THE HON'BLE MS.JUSTICE P.T.ASHA

TR.C.M.P.NO.206 OF 2022

AND

C.M.P.NO.4213 OF 2022

Sathiya Priya

... Petitioner

Vs

Princely Meshack

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, praying to withdraw the I.D.O.P.No.174 of 2021 from the file of the Family Court, Chengalpattu District and transfer the same to the file of the Family Court, Tiruvallur and to be tried along with I.D.O.P.No.29 of 2022 pending on the file of the Principal District and Sessions Court, Tiruvallur.

For Petitioner : Mr.S.Ravi

For Respondent : Served - No appearance

O R D E R

The Petitioner/wife has filed this Transfer Civil Miscellaneous Petition seeking to transfer I.D.O.P.No.174 of 2021 pending on the file of the Family Court, Chengalpet to the Principal District and Sessions Court, Tiruvallur to be tried along with I.D.O.P.No.29 of 2022, which is pending on the file of the said Court.

2. The respondent-husband had filed I.D.O.P.No.174 of 2021 under section 10(x) of the Indian Divorce Act on the file of the Family Court, Chengalpet seeking divorce. Subsequently, the petitioner-wife had filed I.D.O.P.No.29 of 2022 under Section 32



of the Christian Marriage Act, 1869 on the file of the Principal District and Sessions Court, Tiruvallur, seeking restitution of conjugal rights.

3. It is the grievance of the petitioner-wife that she is residing with her parents house along with her minor son and she does not have independent source of income to meet her travelling expenses for attending each and every hearing at Chengalpet. Further, the respondent-husband is not paying maintenance to her. Hence, she prays for transfer.

4. Heard the learned counsel for the petitioner and perused the materials available on record. The respondent, though served, has not entered appearance.

5. Taking into consideration the facts and circumstances of the case and looking into the grievance expressed by the petitioner-wife, this Tr.C.M.P is allowed and I.D.O.P.No.174 of 2021 pending on the file of the Family Court, Chengalpet is withdrawn and transferred to the file of the Principal District and Sessions Court, Tiruvallur to be tried along with I.D.O.P.No.29 of 2022. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

srn

To

1. The Family Court, Chengalpattu District.
2. The Principal District and Sessions Court ,Tiruvallur.
3. The Family Court, Tiruvallur.

+1cc to M/s.S.Ravi, Advocate, S.R.No.26504

Tr.C.M.P.No.206 of 2022
and
C.M.P.No.4213 of 2022

SJ(CO)
RLP(29/04/2022)