



Tr.CMP No.835 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19-12-2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Tr.C.M.P.No.835 of 2022

and

C.M.P.Nos.14421 and 14423 of 2022

Mrs.Anusha Princy Bashyam

.. Petitioner

VS.

Thomas Clinton Prijay

.. Respondent

PRAYER : This Transfer CMP is filed under Section 24 of the Civil Procedure Code, to withdraw the case in IDOP No.350 of 2021 from the file of the Principal District Court at Tiruvallur and transfer the same to the file of the Family Court at Chennai.

For Petitioner : Ms.S.Kiruthika

For Respondent : Mr.P.Paul Selvam



WEB COPY



Tr.CMP No.835 of 2022

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the IDOP No.350 of 2021 from the file of the Principal District Court at Tiruvallur and transfer the same to the file of the Family Court at Chennai.

2. The marriage between the petitioner and the respondent was solemnised on 04.03.2019 as per the Christian Customs. One female child was born from and out of the wedlock and now living with the petitioner. Due to misunderstanding, both the petitioner and the respondent are living separately.

3. The respondent filed IDOP No.350 of 2021 for dissolution of marriage now pending on the file of the Principal District Court at Tiruvallur.



Tr.CMP No.835 of 2022

WEB COPY

4. The learned counsel for the petitioner states that the petitioner is unemployed and she and her 2-1/2 years old female child are residing along with her aged parents and she has to look after the 2-1/2 years old female child. The petitioner depending on her parents. Thus, she is not in a position to travel all along from Chennai to Tiruvallur to contest the divorce petition filed by the respondent before the Principal District Court at Tiruvallur.

5. The learned counsel for the respondent raised an objection that the petitioner is also residing within the territorial jurisdiction of the Tiruvallur District and more-so, she is raising unnecessary allegations against the father of the respondent. All such allegations are to be adjudicated in the Matrimonial Original Petition now pending.

6. Considering the facts and circumstances, the IDOP No.350 of



Tr.CMP No.835 of 2022

2021 pending on the file of the Principal District Court at Tiruvallur stands transferred to the Family Court at Chennai forthwith. The Principal District Court at Tiruvallur is directed to transmit the case papers to the file of the Family Court at Chennai, within a period of four weeks from the date of receipt of a copy of this order.

7. With the abovesaid directions, the Transfer Civil Miscellaneous Petition stands allowed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

19-12-2022

Speaking Order/Non-Speaking Order.

Internet : Yes/No.

Index: Yes/No.

Svn



Tr.CMP No.835 of 2022

WEB COPY

To

- 1.The Principal District Judge,
Principal District Court,
Tiruvallur.

- 2.The Judge,
Family Court,
Chennai.



WEB COPY



Tr.CMP No.835 of 2022

S.M.SUBRAMANIAM, J.

Svn

Tr.CMP No.835 of 2022



WEB COPY



Tr.CMP No.835 of 2022

19-12-2022