



Tr.C.M.P.No.88 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Tr.C.M.P.No.88 of 2022

and

C.M.P.No.1697 of 2022

S.Vidya Mary
D/o.A.Santhappan

... Petitioner

Vs.

E.D.Raja @ E.David Raja
S/o.M.Elumalai

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code praying to withdraw the petition in I.D.O.P.No.34 of 2021 on the file of Principal District Judge, Thiruvallur and transfer the same to the Family Court, City Civil Court Complex, Chennai.

For Petitioner : Mr.A.Mohamed Ismail

For Respondent : Mr.H.Kester



Tr.C.M.P.No.88 of 2022

ORDER

This petition has been filed seeking transfer of I.D.O.P.No.34 of 2021 on the file of Principal District Court, Thiruvallur, to the file of Family Court, City Civil Court Complex, Chennai.

2. The marriage between the petitioner and the respondent was solemnized on 30.09.2019 at St.Anthony's Shrine, Avadi, as per Christian Rites and Customs. Due to misunderstanding, the petitioner and the respondent are living separately. The respondent filed I.D.O.P.No.34 of 2021 on the file of Principal District Court, Thiruvallur, seeking divorce.

3. Learned counsel for the petitioner submits that the petitioner is residing along with her parents at Chennai and working as a teacher in a private school and thus, she is not in a position to contest the case filed by the respondent for divorce.

4. The residence of the wife is preferable for the purpose of conducting matrimonial proceedings. In the present case, the wife resides at Saidapet, Chennai and working as a teacher in a private school.



Tr.C.M.P.No.88 of 2022

5. Considering the facts and circumstances, I.D.O.P.No.34 of 2021 on the file of Principal District Court, Thiruvallur, stands transferred to the file of Family Court, City Civil Court Complex, Chennai. The Principal District Court, Thiruvallur, is directed to transmit the case papers to the Family Court, City Civil Court Complex, Chennai, within a period of four (4) weeks from the date of receipt of a copy of this order.

With the above direction, the Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, the connected miscellaneous petition is closed.

06.01.2023

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

To

1.The Principal District Court,
Thiruvallur.

2.The Family Court,
City Civil Court Complex,
Chennai.

S.M.SUBRAMANIAM., J



WEB COPY



Tr.C.M.P.No.88 of 2022

gm

Tr.C.M.P.No.88 of 2022

06.01.2023