



WEB COPY

Tr. CMP. No.680 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2023

CORAM :

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

TR.CMP No.680 of 2023
and C.M.P.No.16681 of 2023

T.Priscilla Alice

.... Petitioner

-Vs-

M.Daniel Dayanand Fenn

.... Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C., to withdraw IDOP No.145 of 2023 pending on the file of the Family Court, Chengalpattu and transfer the same to the file of the Family Court, at Madurai

For Petitioner : M/s.Kiruthiga

For Respondent : M/s.Raj Genevive Veena

ORDER

This petition has been filed by the petitioner seeking to withdraw the IDOP.No.145 of 2023 pending on the file of the Family Court, Chengalpattu and to transfer the same to the Family Court, Madurai.



WEB COPY

2. The learned counsel for the petitioner submitted that the marriage between the petitioner and the respondent was solemnized on 04.08.2021. She further submitted that the petitioner has been tortured at the hands of the respondent and his family members. Thereafter, the petitioner filed a petition for restitution of conjugal rights in IDOP.No.279 of 2023 on the file of the Family Court, Madurai and notice has been served to the respondent. Further, the respondent filed a petition for divorce in IDOP No.145 of 2023 on the file of the Family Court, Chengalpattu. Both cases are pending. She further submitted that all witnesses to the proceedings are in Madurai. Hence, she prays to allow this petition.

3.The learned counsel for the respondent has raised formal objections in allowing the petition.

4. Considering the facts and circumstances of the case and the reason stated by the petitioner and the same is justifiable. Accordingly, the present Tr.C.M.P. is allowed and the IDOP.145 of 2023 pending on the file of the Family Court, Chengalpattu, is withdrawn and transferred to the file of the Family Court,



Tr. CMP. No.680 of 2023

Madurai, to try along with IDOP No.279 of 2023. Consequently, connected miscellaneous petition is closed. No costs.

5. The trial Judge, Madurai, is directed to issue notice to the respondent/husband, within a period of two weeks from the date of receipt of a copy of this order and proceed with case as per manner known to law.

04.10.2023

Speaking / Non Speaking order

Neutral Citation : Yes/No

Index :Yes/No

msrm

To

1.The Family Court, Chengalpattu.

2.The Family Court, Madurai.



WEB COPY



Tr. CMP. No.680 of 2023

T.V.THAMILSELVI, J.

msrm

TR.CMP No.680 of 2023
and C.M.P.No.16681 of 2023

04.10.2023