



WEB COPY



TR.C.M.P.No.327 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2024

CORAM:

THE HONOURBLE MR. JUSTICE M. NIRMAL KUMAR

TR.C.M.P.No.327 of 2024
and C.M.P.No.6749 of 2024

S.Wilma

... Petitioner

Vs.

Dalton Immanuel Raj

... Respondent

PRAYER: The Transfer Civil Miscellaneous Petition has been filed under Section 24 of the Code of Civil Procedure, to withdraw and transfer I.D.O.P.No.23 of 2024 pending before the Family Court at Chengalpattu and transfer the same to the Family Court, Chennai.

For Petitioner : Mr.Guru Dhananjay

For Respondent : Mr.M.K.Bhoopathy Rajan

- - - - -



TR.C.M.P.No.327 of 2024

ORDER

WEB COPY

The petitioner/estranged wife of the respondent has filed this Transfer Civil Miscellaneous Petition seeking to transfer I.D.O.P.No.23 of 2024 pending on the file of the Family Court, Chengalpattu to the Family Court, Chennai.

2. The learned counsel for the petitioner submits that the marriage between the petitioner and the respondent was solemnised on 06.05.2019 at C.S.I. Inba Yesu Alayam, Thirutottiyur, Thangal, Chennai. From the wedlock, they are blessed with a child namely Tiannah born on 22.05.2020. Initially, they were in smooth relationship, but, it is only after the marriage, the petitioner and her parents came to know that the respondent is a wastrel and is living on his parents earnings and does not earn a single penny. On the other hand, the petitioner is an employee of Cognizant Technology and the respondent demanded money from the petitioner and also tortured her. Since there was a matrimonial dispute between them, the respondent has sent a



TR.C.M.P.No.327 of 2024

WEB COPY

legal notice to the petitioner on 21.06.2023 and the petitioner has replied to the same by the counsel on 04.07.2023. Thereafter, the respondent has filed I.D.O.P.No.23 of 2023 for restitution of conjugal rights before the Family Court, Chengalpattu.

3. The learned counsel for the petitioner further submits that the petitioner has to travel 40 Km to attend the Court at Chengalpattu and as she being a lady having an infant, it is difficult to travel such distance without any support. He further submits that the respondent is residing in Chrompet, which is well connected by the suburban trains and buses.

4. The learned counsel appearing for the respondent has no objection for transferring the case from the Family Court, Chengalpattu to the Family Court, Chennai.



TR.C.M.P.No.327 of 2024

WEB COPY

5. Considering the submissions made and on perusal of the materials, it is seen that both the petitioner and the respondent are willing for transfer and speedy disposal of I.D.O.P.No.23 of 2024. In view of the same, this Court is inclined to transfer the case in I.D.O.P.No.23 of 2024. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and I.D.O.P.No.23 of 2024, pending on the file of the Family Court, Chengalpattu, shall stand withdrawn and transferred to the file of Family Court, Chennai. The learned Judge, Family Court, Chennai, is directed to dispose of I.D.O.P.No.23 of 2024 within a period of six (6) months from the date of receipt of a copy of this order. No costs. Consequently, the connected Miscellaneous Petition is closed.

09.07.2024

asi

To

1.The Judge, Family Court, Chengalpattu.

2. The Judge, Family Court, Chennai.



WEB COPY



TR.C.M.P.No.327 of 2024

M. NIRMAL KUMAR, J.

asi

TR.C.M.P.No.327 of 2024
and C.M.P.No.6749 of 2024

09.07.2024