



WEB COPY



Tr.C.M.P.No.832 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P.No.832 of 2023
and C.M.P.No.20167 of 2023

Monica

... Petitioner

Vs.

S.Visweshwar

... Respondent

PRAYER: The Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, to withdraw the G.W.O.P.No.91 of 2023 from the file of Principal District Judge, Chengalpattu and transfer the same to the file of the Principal Family Court, Chennai to try the same along with H.M.O.P.No.1717 of 2020.

For the Petitioner : Mr.K.Sasindran

For the Respondent : Mr.Vignesh
for Mr.B.Thirunavukarasu

ORDER

This petition has been filed to withdraw the G.W.O.P.No.91 of 2023 from the file of Court of Principal District Judge, Chengalpattu and transfer the same to the file of the Principal Family Court, Chennai to try the same



Tr.C.M.P.No.832 of 2023

along with H.M.O.P.No.1717 of 2020.

WEB COPY

2. The husband has initiated the proceedings in G.W.O.P.No.91 of 2023 on the file of the Court of Principal District Judge, Chengalpattu, seeking for declaration that he is the sole and natural guardian for the girl child viz., V.Sumriddha.

3. The wife is the resident of Palavakkam in the outskirts of Chennai. Husband is the resident of Choolaimedu in Chennai. Between the very same parties, proceedings was initiated in H.M.O.P.No.1717 of 2020 before the Family Court, Chennai.

4. The learned counsel for the petitioner fairly submitted that the said H.M.O.P.No.1717 of 2020 was dismissed on 22.01.2024. He pleads that instead of the Court of Principal District Judge, Chengalpattu, if the proceedings are tried at Chennai, it will be convenient for the petitioner.

5. On service of notice, the respondent / husband had entered appearance through Mr.Vignesh, the learned counsel representing



Tr.C.M.P.No.832 of 2023

Mr.B.Thirunavukarasu, learned counsel for the respondent.

WEB COPY

6. Mr.Vignesh, who appears for the respondent states that the present Transfer Civil Miscellaneous Petition has become infructuous, since the H.M.O.P.No.1717 of 2020 has been disposed.

7. I have heard both sides.

8. The petition is not predicated solely on the ground that the H.M.O.P.No.1717 of 2020 is pending. In addition, the petitioner / wife pleads that it would be easier for her to come to the Family Court, Chennai, rather than travelling to the District Court at Chengalpattu. In other words, the wife pleads that it will be convenient for her, if the matter is tried before the Family Court at Chennai, instead of the Court of Principal District Judge, Chengalpattu.

9. Considering the convenience of the wife as well as taking into consideration the age of the child, the proceedings in G.W.O.P.No.91 of 2023 on the file of the Court of Principal District Judge, Chengalpattu, is withdrawn and transferred to the file of the Family Court at Chennai.



Tr.C.M.P.No.832 of 2023

WEB COPY

10. Accordingly, the Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

15.07.2024

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

To
1.The Principal District Judge
Chengalpattu.
2.The Judge
Family Court, Chennai



WEB COPY



Tr.C.M.P.No.832 of 2023

V.LAKSHMINARAYANAN, J.

Jer

Tr.C.M.P.No.832 of 2023

15.07.2024