

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2015

CORAM :

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.137 of 2014
M.P.No.1 of 2014

R.Ambika

... PETITIONER

Vs

C.Murugan

... RESPONDENT

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code to withdraw the case filed by the respondent before the III Additional Family Court, Chennai in HMOP.No.361 of 2014 and transfer the same to Sub-Court, Gudiyatham, Vellore District.

For petitioner : Mr.D.Rajagopal

For Respondent : No appearance

O R D E R

The petitioner herein is the wife. The respondent is the husband. The respondent-husband filed HMOP.No.361 of 2014 on the file of the learned III Additional Judge, Family Court, Chennai.

2. The petitioner resides at Gudiyatham. Hence, she has filed this petition to transfer HMOP.No.361 of 2014 to Gudiyatham.

3. Though notice was served, there is no representation for the respondent.

4. It is well settled in the matrimonial disputes that the convenience of wife is given preference in the matter of place of hearing. Furthermore, Section 19 of the Hindu Marriages Act states that the matrimonial disputes could be heard at the place of residence of the wife. For all the aforesaid reasons, I am inclined to allow this petition.

5. In the result, the Transfer Civil Miscellaneous Petition is allowed by transferring the HMOP.No.361 of 2014 on the file of the learned III Additional Judge, Family Court, Chennai to the file of the learned Subordinate Judge, Gudiyatham, Vellore District. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

- 1.The IIIrd Additional Judge,
Family Court,
Chennai.
- 2.The Sub Judge,
Gudiyatham,
Vellore District.

+1cc to Mr.D.Rajagopal, Advocate, S.R.No.45314

Tr.C.M.P.No.137 of 2014

SKV(CO)
CA(15/09/2015)

सत्यमेव जयते

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