

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.163 of 2014
M.P.No.1 of 2014

Syed Ali Fathima

.. PETITIONER

Vs

Mohammed Hussain

.. RESPONDENT

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code to withdraw the case in O.S.No.202 of 2013 on the file of the Additional District Munsif at Cuddalore and transfer the same to the file of the District Munsif, Tenkasi. (Prayer amended vide order of this Court dated 12.9.2014 made in M.P.No.2 of 2014)

For petitioner : Mr.R.Muralidharan

For Respondent : Mr.S.Vijayakumar

O R D E R

The petitioner is the wife. She filed M.C.No.6 of 2007 on the file of the Judicial Magistrate, Neyveli and the same was allowed.

2. The respondent-husband filed O.S.No.202 of 2013 on the file of the learned Additional District Munsif, Cuddalore for passing a decree of divorce.

3. The petitioner-wife resides at Thenkasi along with her son, who is studying 4th standard. Hence, she filed this Transfer Civil Miscellaneous Petition.

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. Hence, the Transfer Civil Miscellaneous Petition is disposed of transferring the O.S.No.202 of 2013 on the file of the learned Additional District Munsif, Cuddalore, to the file of the

learned District Munsif, Tenkasi. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

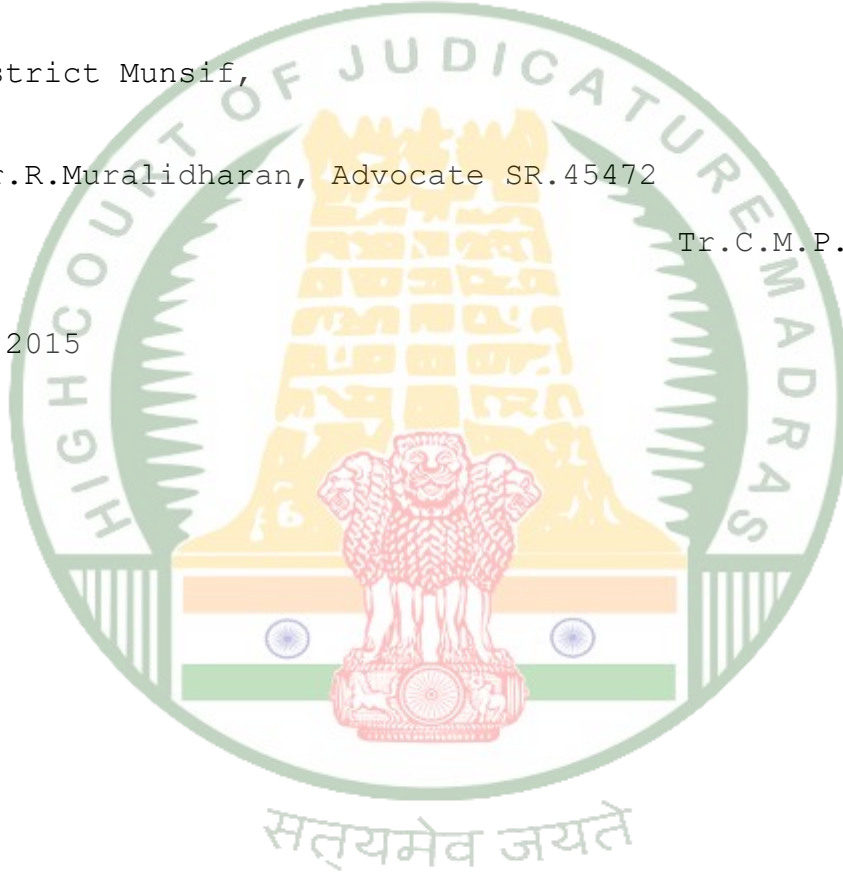
1.The Additional District Munsif,
Cuddalore.

2. The District Munsif,
Tenkasi.

+1cc to Mr.R.Muralidharan, Advocate SR.45472

Tr.C.M.P.No.163 of 2014

ggk[co]
srg 29.09.2015



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