

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2015

CORAM

THE HONOURABLE THIRU JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.548 of 2014 &
M.P.No.1 of 2014

D.Sampathlakshmi

... Petitioner

v.

N.Balaji

... Respondent

Tr.C.M.P. filed under section 24 of C.P.C., to withdraw the petition in F.C.O.P.No.271 of 2014 from the file of Family Court, Salem and to transfer the same to the Family Court, Dharmapuri.

For Petitioner : Mr.J.Franklin

For Respondent : Mr.R.Nalliyappan

O R D E R

The petitioner is the wife of the respondent. The respondent filed FCOP No.271 of 2014 on the file of Family Court, Salem for divorce.

2. The petitioner has filed the above Transfer C.M.P. to withdraw F.C.O.P.No.271 of 2014 from the file of Family Court, Salem and to transfer the same to the file of Family Court, Dharmapuri, since she resides within the jurisdiction of Family Court, Dharmapuri.

3. It is well settled that in Matrimonial disputes, preference would be given to wife in the place of hearing.

4. Considering the same and also in view of section 19(iii-a) of the Hindu Marriage Act, F.C.O.P. may be tried at the place where the wife resides.

5. In these circumstances, I direct for withdrawal of F.C.O.P.No.271 of 2014 from the Family Court, Salem and to transfer the same to the file of Family Court, Dharmapuri.

The Transfer C.M.P is disposed of accordingly. No costs.
Consequently, connected miscellaneous petition is closed.

-Sd/-
Assistant Registrar(cs-III)

//True copy//

Sub Assistant Registrar

arr

To

1. The Family Court, Salem.

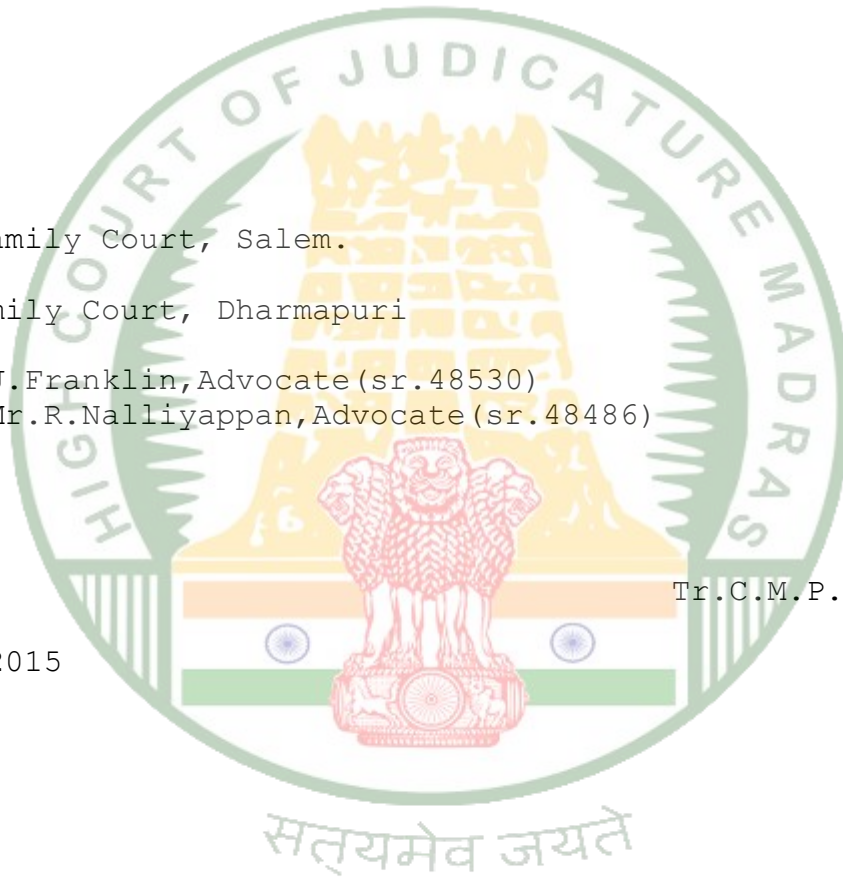
2. The Family Court, Dharmapuri

+1 cc Mr.J.Franklin,Advocate(sr.48530)

+1 cc to Mr.R.Nalliyappan,Advocate(sr.48486)

vsn(co)
cp 28/09/2015

Tr.C.M.P.No.548 of 2014



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