

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2015

CORAM

THE HONOURABLE THIRU JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.558 of 2014 &
M.P.No.1 of 2014

K.Adhirai

... Petitioner

v.

R.Saravanan

.... Respondent

Tr.C.M.P. filed under section 24 of C.P.C., to withdraw H.M.O.P.No.40 of 2014 pending on the file of Sub Court, Gudiyatham and transfer to Family Court, Chennai.

For Petitioner : Mr.S.Sundaresan
For Respondent : Mr.K.S.Murugan

O R D E R

The petitioner is the wife of the respondent. The respondent filed HMOP No.40 of 2014 on the file of Sub-Court, Gudiyatham for divorce.

2. The petitioner has filed the above Transfer C.M.P. to withdraw H.M.O.P.No.40 of 2014 from the file of Sub-Court, Gudiyatham and to transfer the same to the file of Family Court, Chennai, since she resides within the jurisdiction of the Family Court, Chennai.

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, H.M.O.P. may be tried at the place where the wife resides. Since, the Sub Court, Tambaram is very near to Pammal, where the petitioner resides, H.M.O.P. may be transferred to Sub Court, Tambaram.

5. In these circumstances, I direct for withdrawal of H.M.O.P.No.40 of 2014 from the file of Sub-Court, Gudiyatham and to transfer the same to the file of Sub Court, Tambaram

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

sd/
ASSISTANT REGISTRAR(J)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

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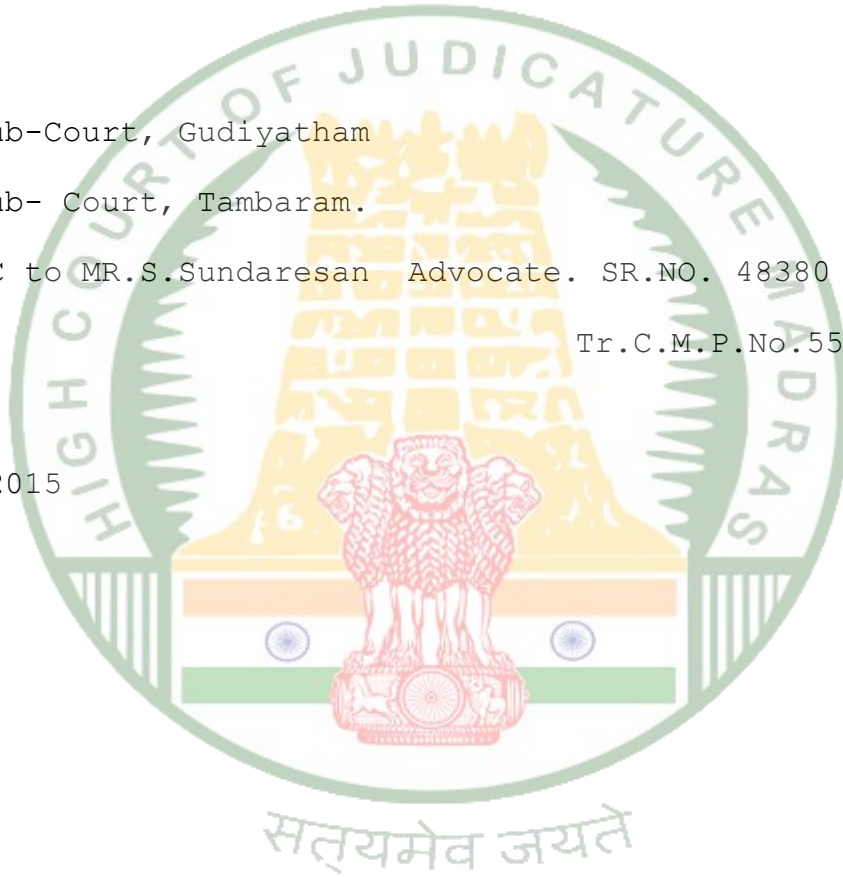
To

1. The Sub-Court, Gudiyatham
2. The Sub- Court, Tambaram.

+1 CC to MR.S.Sundaresan Advocate. SR.NO. 48380

Tr.C.M.P.No.558 of 2014

CO-BVR
JD 30/10/2015



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