

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2015

CORAM

THE HONOURABLE THIRU JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.561 of 2014 &
M.P.No.1 of 2014

Aswini Gracae Jabapriya

... Petitioner

vs.

Vivilian

... Respondent

Tr.C.M.P. filed under section 24 of C.P.C., to withdraw and transfer I.D.O.P.No.90 of 2013 on the file of the Principal District Judge at Chengalpattu and the same to be tried along with the I.D.O.P.No.4 of 2014 on the file of the Principal District Judge, Thiruvannamalai.

For Petitioner : Mr.P.Tamilavel

For Respondent : No appearance

O R D E R

The petitioner is the wife of the respondent. She has filed I.D.O.P.No.4 of 2014 on the file of Principal District Judge, Thiruvannamalai for restitution of conjugal rights, while the respondent-husband filed I.D.O.P.No.90 of 2013 on the file of on the file of the Principal District Court, Chengalpattu for dissolution of the marriage.

2. The petitioner herein has sought to withdraw I.D.O.P.No.90 of 2013 from the file of the Principal District Court, Chengalpattu and to transfer the same to the file of Principal District Judge, Thiruvannamalai to be tried along with I.D.O.P.No.4 of 2014.

3. Though notice was served on the respondent and his name has been printed in the cause list, none appeared on behalf of the respondent.

4. It is well settled law that in the matrimonial dispute, preference should be given to the wife with respect to the place of hearing.

5. Accordingly, a direction is issued to withdraw I.D.O.P.No.90 of 2013 from the file of the Principal District Court, Chengalpattu and to transfer the same to the file of Principal District Court, Thiruvannamalai to be tried along with I.D.O.P.No.4 of 2014.

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

-Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

Rj

To

1. The Principal District Judge,
Chengalpattu

2. The Principal District Judge,
Thiruvannamalai.

+1 cc to Mr.P.Tamilavel, Advocate (sr.50316)

Tr.C.M.P.No.561 of 2014
&M.P.No.1 of 2014

vs (co)
cp 29/09/2015

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