

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2015

CORAM

THE HONOURABLE THIRU JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.617 of 2014 &
M.P.No.1 of 2014

Sharmila

... Petitioner

v.

S.Arvind

... Respondent

Tr.C.M.P. filed under section 24 of C.P.C., to withdraw the case in O.P.No.2249 of 2014 on the file of I Additional Family Court, Chennai and transfer the same to the file of Family Court, Cuddalore.

For Petitioner : Mr.M.Selvam

For Respondent : Mr.V.Subramani

O R D E R

The petitioner is the wife of the respondent. The respondent filed OP No.2249 of 2014 on the file of I Additional Family Court, Chennai for restitution of conjugal rights.

2. The petitioner has filed the above Transfer C.M.P. to withdraw O.P.No.131 of 2014 from the file of I Additional Family Court, Chennai and to transfer the same to the file of Family Court, Cuddalore, since she resides within the jurisdiction of Family Court, Cuddalore.

3. It is well settled that in Matrimonial disputes, the 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.

5. In these circumstances, I direct for withdrawal of O.P.No.2249 of 2014 from the file of I Additional Family Court, Chennai and to transfer the same to the file of Family Court, Cuddalore.

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

arr

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

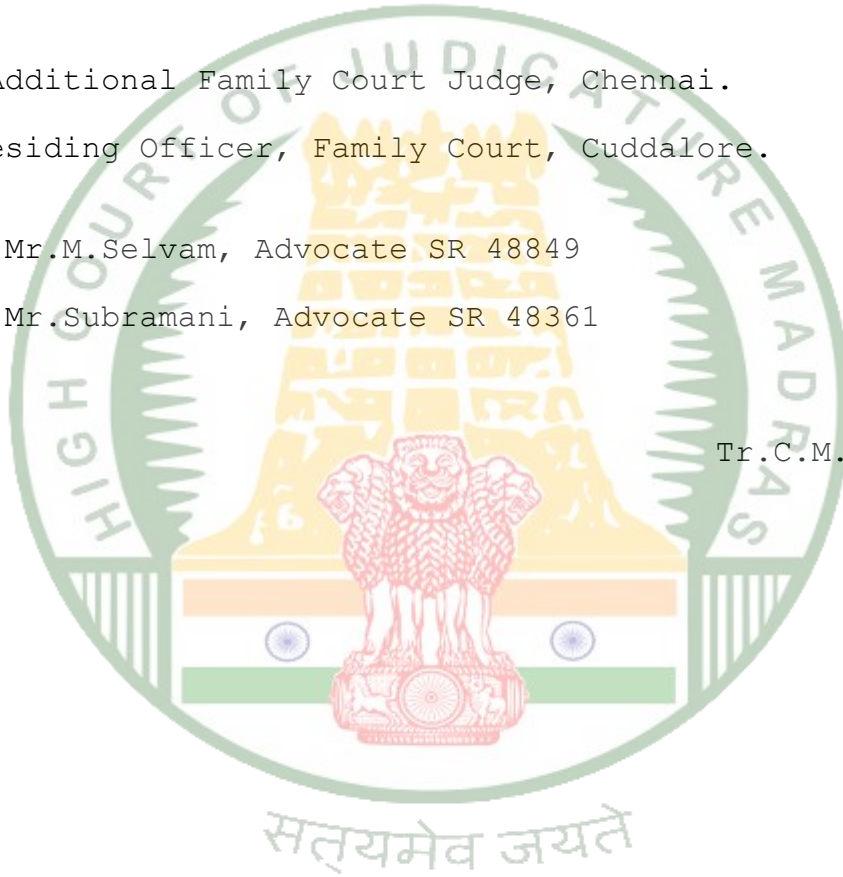
1. The I Additional Family Court Judge, Chennai.
2. The Presiding Officer, Family Court, Cuddalore.

+ 1 cc to Mr.M.Selvam, Advocate SR 48849

+ 1 cc to Mr.Subramani, Advocate SR 48361

mg(co)
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Tr.C.M.P.No.617 of 2014



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