

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2015

CORAM

THE HONOURABLE THIRU JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.622 of 2014 &
M.P.No.1 of 2014

K.Benazir

... Petitioner

v.

B.Shek Mohamed

... Respondent

Tr.C.M.P. filed under section 24 of C.P.C., to withdraw the O.S.No.373 of 2014 pending on the file of the Principal District Munsif Court, Dindugal and transfer the same to II Additional Family Court, Chennai and try the same along with the O.S.No.137 of 2014 pending on the file of II Additional Family Court, Chennai.

For Petitioner : Mr.M.Guruprasad

For Respondent : Mr.A.R.Balaji

O R D E R

The petitioner is the wife of the respondent. The respondent filed O.S.No.373 of 2014 on the file of Principal District Munsif Court, Dindugal to declare that the Talaq pronounced by him is valid.

2. Whiles, the petitioner/wife filed O.S.No.137 of 2014 on the file of II Additional Family Court, Chennai to declare that the Talaq pronounced by her husband as null and void.

3. It is stated by both sides that in O.S.No.373 of 2014, the petitioner/wife was set exparte and therefore she filed I.A.No.372 of 2015 to set aside the exparte order.

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

5. In these circumstances, I direct for withdrawal of I.A.No.372 of 2015 in O.S.No.373 of 2014 and also entire records in O.S.No.373 of 2014 from the file of Principal District Munsif Court, Dindugal and to transfer the same to the file of II Additional Family Court, Chennai to be tried along with O.S.No.137 of 2014. If I.A. is allowed, then O.S.No.373/2014 could be tried along with O.S.No.137 of 2014.

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

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

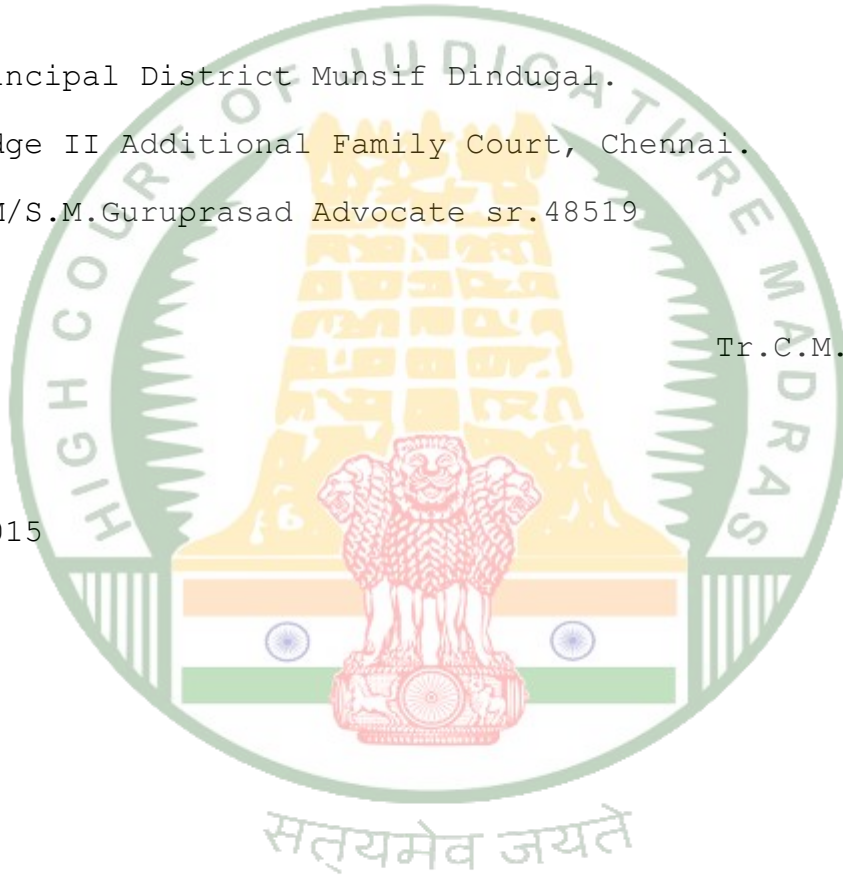
1. The Principal District Munsif Dindugal.

2. The Judge II Additional Family Court, Chennai.

+1 cc to M/S.M.Guruprasad Advocate sr.48519

Tr.C.M.P.No.622 of 2014

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