

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.636 of 2014 and
M.P.No.1 of 2014

K.Sathya

.. PETITIONER/RESPONDENT

Vs

N.Yuvaraja

.. RESPONDENT/PETITIONER.

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code to withdraw the HMOP.No.201 of 2013 pending on the file of the Subordinate Judge, Namakkal and to transfer the same to Subordinate Court, Salem.

For petitioner : Ms.Farheen
for M/s.Karan and Uday

For Respondent : Mr.R.Nalliappan

O R D E R

The petitioner herein is the wife. The respondent is the husband. The respondent-husband filed HMOP.No.201 of 2013 on the file of the learned Subordinate Judge, Namakkal.

2. The petitioner resides at Salem. Hence, she has filed this petition to transfer HMOP.No.201 of 2013 to Salem.

3. Heard both sides.

4. It is well settled in the matrimonial disputes that the convenience of wife is given preference in the matter of place of hearing. Furthermore, Section 19 (iii)(a) of the Hindu Marriages Act states that the matrimonial disputes could be heard at the place of residence of the wife. For all the aforesaid reasons, I am inclined to allow this petition.

5. In the result, the Transfer Civil Miscellaneous Petition is allowed by transferring the HMOP.No.201 of 2013 on the file of the

learned Subordinate Judge, Namakkal, to the file of the learned Subordinate Judge, Salem. No costs. Consequently, connected Miscellaneous Petition is closed.

tsi

s/d-
Assistant Registrar (CO)

True Copy

Sub-Assistant Registrar

To

1. The Subordinate Judge, Namakkal.
 2. The Subordinate Judge, Salem.
- + 1 cc to M/s.Karan & Uday Advocate SR 50133
- + 1 cc to Mr.R.Nalliyappan, Advocate SR 50127

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