

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.659 of 2014 and
M.P.No.1 of 2014

A.Kamaleeswari

.. PETITIONER

Vs

S.Bharathi Raja

.. RESPONDENT

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code to withdraw and transfer the FCOP.No.4351 of 2013 from II Additional Court, Chennai to Subordinate Court, Dindigul.

For petitioner : Mr.S.N.Hussainy

For Respondent : Mr.T.Kalaiselvan

O R D E R

The petitioner herein is the wife. The respondent is the husband. The respondent-husband filed FCOP.No.4351 of 2013 on the file of the learned II Additional Judge, Family Court, Chennai.

2. The petitioner resides at Dindigul. Hence, she has filed this petition to transfer FCOP.No.4351 of 2013 to Dindigul.

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 FCOP.No.4351 of 2013 on the file of the learned II Additional Judge, Family Court, Chennai, to the file of

the learned Subordinate Judge, Dindigul. No costs. Consequently,
connected Miscellaneous Petition is closed.

-Sd/-
Asst.Registrar

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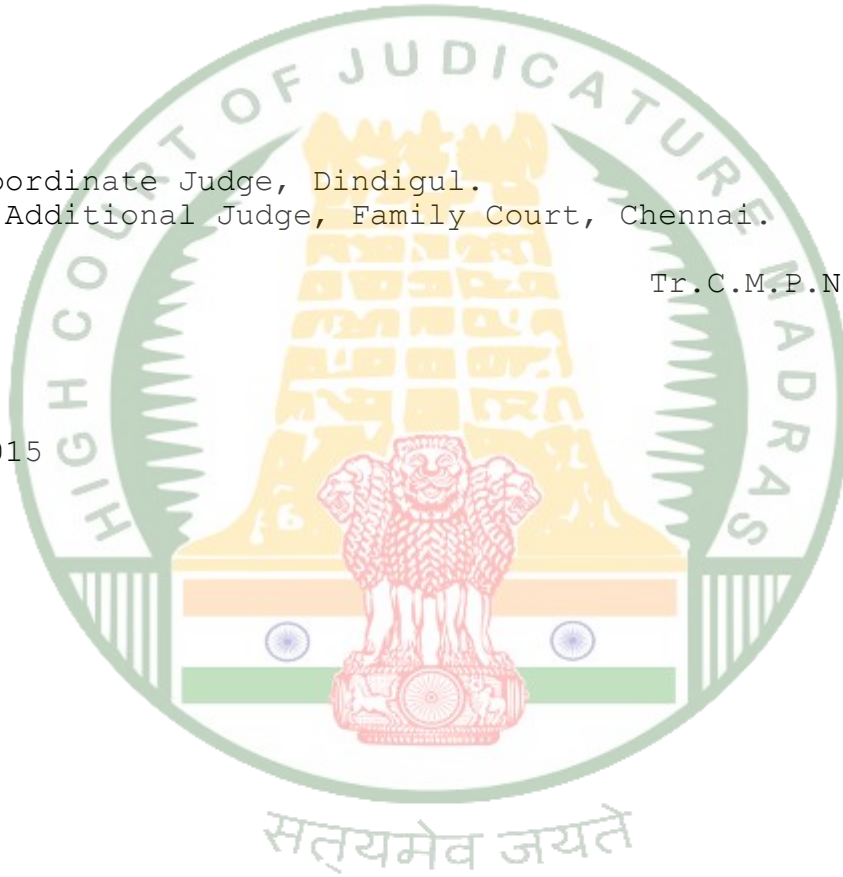
Sub Asst. Registrar

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To

1. The Subordinate Judge, Dindigul.
2. The II Additional Judge, Family Court, Chennai.

Tr.C.M.P.No.659 of 2014

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