

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.668 of 2014
and
M.P.No.1 of 2014

Praba Sree

...PETITIONER

Vs

Sathyamoorthy

...RESPONDENT

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code to withdraw the HMOP.No.75 of 2014 on the file of the Subordinate Judge, Virudhunagar and transfer the same to the Family Court, Chennai for adjudication.

For Petitioner : Mr.S.Manickam

For Respondent : Mr.S.Sivakumar

O R D E R

The petitioner herein is the wife. The respondent is the husband. The respondent-husband filed HMOP.No.75 of 2014 on the file of the learned Subordinate Judge, Virudhunagar.

2. The petitioner resides at Chennai. Hence, she has filed this petition to transfer HMOP.No.75 of 2014 to Chennai.

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 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. At this stage, the learned Counsel for the respondent submits that the respondent-husband is working at Saudi Arabia and he is willing for settlement.

6. In the result, the Transfer Civil Miscellaneous Petition is allowed by transferring the HMOP.No.75 of 2014 on the file of the learned Subordinate Judge, Virudhunagar, to the file of the Family Court, Chennai. Further, the Family Court, Chennai is directed to refer the matter to Mediation for amicable settlement between the parties. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Subordinate Judge,
Virudhunagar.

2. The Family Court,
Chennai.

1 CC to Mr.S.Sivakumar, Advocate SR.No. 50068

2 CCs to Mr.T.Ganesan, Advocate SR.No. 50615 & 50645

Tr.C.M.P.No.668 of 2014

KM (CO)
PSI (05.10.2015)

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