

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.09.2015

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.707 of 2014

and M.P.No.1 of 2014

Thaiyalnayaki alias Maheswari

... Petitioner

vs.

J.Mariappan alias J.Ramesh

... Respondent

Transfer petition has been filed u/s 24 of CPC to withdraw H.M.O.P.No.3639 of 2014 pending on the file of the Principal Judge, Family Court, Chennai and transfer the same to the Court of Subordinate Judge, Chidambaram.

For petitioner : Mr.A.Muthukumar
For Respondent : Mr.S.Ambigapathi

ORDER

The petitioner is the wife and the respondent is the husband. The respondent / husband filed H.M.O.P.No.3639 of 2014 on the file of the learned Principal Judge, Family Court, Chennai for restitution of conjugal rights. The petitioner / wife resides at Nagappattinam District. Hence, she has filed this petition to transfer the petition in H.M.O.P.No.3639 of 2014 to the file of Sub Court, Chidambaram.

2. In view of Section 19 of the Hindu Marriage Act, H.M.O.P. may be tried at the place where the wife resides. In the matrimonial disputes, preference should be given to the convenience of the wife as to the place of hearing. Further, in this case, it is stated that the petitioner / wife has two years old child. Hence, I am of the view that H.M.O.P.No.3639 of 2014 pending on the file of the learned Principal Judge, Family Court, Chennai has to be transferred to the file of Sub Court, Chidambaram.

3. In the result, the transfer CMP is allowed and the learned Principal Judge, Family Court, Chennai is directed to transfer the petition in H.M.O.P.No.3639 of 2014 pending on his file to the file of learned Subordinate Judge, Chidambaram, for disposal. No costs. Consequently, connected miscellaneous petition is closed.

-sd/-

ASSISTANT REGISTRAR (J)

/ TRUE COPY /

SUB-ASSISTANT REGISTRAR

sbi

To

1.The Principal Judge,
Family Court, Chennai.

2.The Subordinate Judge,
Chidambaram.

+1 CC to Mr.A.Muthukumar Advocate. SR.NO. 52740

+1 CC to Mr.S.Ambigapathi Advocate. SR.NO. 52625

Tr.C.M.P.No.707 of 2014

CO-KJI

JD 12/10/2015

सत्यमेव जयते

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