

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2015

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.754 of 2014
and
M.P.No.1 of 2014

R.Latha

... Petitioner

Vs.

G.Raguram

... Respondent

Transfer petition has been filed to withdraw the proceedings in H.M.O.P.No.86 of 2014 on the file of the Subordinate Judge, Mettur and transfer the same to the file of the Principal Sub Court cum Family Court, Dharmapuri or any other competent Court near Dharmapuri District.

For petitioner : Mr.N.Suresh

For Respondent : Mr.R.Nalliyappan

ORDER

The petitioner is the wife and the respondent is the husband. The respondent / husband filed H.M.O.P.No.86 of 2014 on the file of the learned Subordinate Judge, Mettur, seeking divorce. The petitioner / wife resides at Dharmapuri District. Hence, she has filed this petition to transfer the petition in H.M.O.P.No.86 of 2014 to the file of Principal Sub Court cum Family Court, Dharmapuri.

2. In view of Section 19 (iii) (a) 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 three years old child. Hence, I am of the view that H.M.O.P.No.86 of 2014 pending on the file of the learned Subordinate Judge, Mettur has to be transferred to the file of Principal Sub Court cum Family Court, Dharmapuri.

3. In the result, the transfer CMP is allowed and the learned Subordinate Judge, Mettur is directed to transfer the petition in H.M.O.P.No.86 of 2014 pending on his file to the file of Principal Sub Court cum Family Court, Dharmapuri, for disposal. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sbi

To

1. The Subordinate Judge,
Mettur.
2. The Principal Subordinate Judge cum Family Court,
Dharmapuri.

+1cc to Mr.R.Nalliyappan, Advocate, S.R.No.55280

Tr.C.M.P.No.754 of 2014

KK(CO)
CA(20/10/2015)

सत्यमेव जयते

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