

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.759 of 2015 and
M.P.No.1 of 2015

V.Vanitha

.. PETITIONER

Vs

S.Balamurugan

.. RESPONDENT

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code to withdraw the case in HMOP.No.35 of 2014 on the file of the learned Subordinate Judge, Mannargudi and the transfer the same to the Subordinate Court at Nagapattinam.

For petitioner : Mr.L.S.M.Hasan Fizal

For Respondent : Mr.V.Kasinatha Bharath

O R D E R

The petitioner herein is the wife. The respondent is the husband. The respondent-husband filed HMOP.No.35 of 2014 on the file of the learned Subordinate Judge, Mannargudi.

2. The petitioner resides at Nagapattinam. Hence, she has filed this petition to transfer HMOP.No.35 of 2014 on the file of the learned Subordinate Judge, Mannargudi to the file of the learned Subordinate Judge, Nagapattinam.

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.35 of 2014 on the file of the learned Subordinate Judge, Mannargudi, to the file of the learned Subordinate Judge, Nagapattinam. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CCC)

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Sub Assistant Registrar

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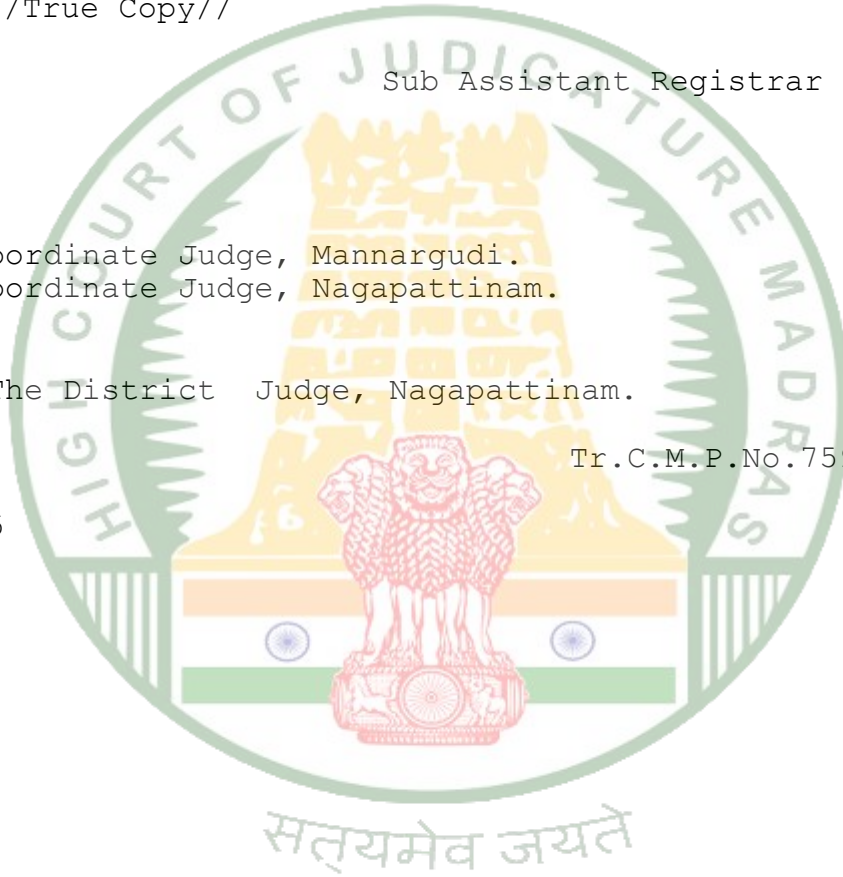
To

1. The Subordinate Judge, Mannargudi.
2. The Subordinate Judge, Nagapattinam.

Copy to: The District Judge, Nagapattinam.

Tr.C.M.P.No.759 of 2014

RSK(CO)
Eu 5.11.15



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