

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2015

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.763 of 2014
and M.P.No.1 of 2014

A.Vijayalakshmi ... Petitioner

vs.

S.Shenbagaraj ... Respondent

Transfer petition has been filed to withdraw H.M.O.P.No.52 of 2014 pending on the file of the learned II Additional Subordinate Judge, Coimbatore and transfer the same to Sub Court, Cheyyar, Thiruvannamalai District.

For petitioner : Mr.R.Santhanam

For Respondent : No appearance.

ORDER

The petitioner is the wife and the respondent is the husband. The respondent / husband filed H.M.O.P.No.52 of 2014 on the file of the learned II Additional Subordinate Judge, Coimbatore seeking divorce. The petitioner / wife resides at Thiruvannamalai District. Hence, she has filed this petition to transfer the petition in

H.M.O.P.No.52 of 2014 to the file of Sub Court, Cheyyar, Thiruvannamalai District.

2. Though notice was served, the respondent has not chosen to appear before this Court either in person or through counsel.

3. 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.52 of 2014 pending on the file of the learned II

Additional Subordinate Judge, Coimbatore has to be transferred to the file of Sub Court, Cheyyar, Thiruvannamalai District.

3. In the result, the transfer CMP is allowed and the learned II Additional Subordinate Judge, Coimbatore is directed to transfer the petition in H.M.O.P.No.52 of 2014 pending on his file to the file of Sub Court, Cheyyar, Thiruvannamalai District for disposal. No costs. Consequently, connected miscellaneous petition is closed.

sbi

s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To

1.The II Additional Subordinate Judge,
Coimbatore.

2.The Subordinate Judge,
Cheyyar, Thiruvannamalai District.

+ 1 cc to Mr.R.Santhanam, Advocate SR 55406

ad(co)
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