

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2015

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.788 of 2014

and

M.P.No.1 of 2014

Gandhi Mathi @ Madhu ... Petitioner/Respondent

vs.

M.Senthil Murugan ... Respondent/Petitioner

Transfer petition has been filed to withdraw the O.P.No.316 of 2014 on the file of the Hon'ble Subordinate Court at Poonamallee and transfer the same to the Sub Court, Tenkasi.

For petitioner : Mr.T.Muruganantham

For Respondent : Mr.Nagarajan

ORDER

The petitioner is the wife and the respondent is the husband. The respondent / husband filed O.P.No.316 of 2014 on the file of Subordinate Court, Poonamallee, seeking divorce. The petitioner / wife is having two children and staying in her parents' home with two children at Tenkasi. Hence, she has filed this petition to transfer the petition in H.M.O.P.No.316 of 2014 to the file of Sub Court, Tenkasi.

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. Hence, I am of the view that H.M.O.P.No.316 of 2014 pending on the file of the learned Subordinate Judge, Poonamallee has to be transferred to the file of Sub Court, Tenkasi.

3. In the result, the transfer CMP is allowed and the learned Subordinate Judge, Poonamallee is directed to transfer the petition in H.M.O.P.No.316 of 2014 pending on his file to

the file of learned Subordinate Judge, Tenkasi, for disposal.
No costs. Consequently, connected miscellaneous petition is
closed.

vsm

s/d-
Assistant Registrar(CS-III)

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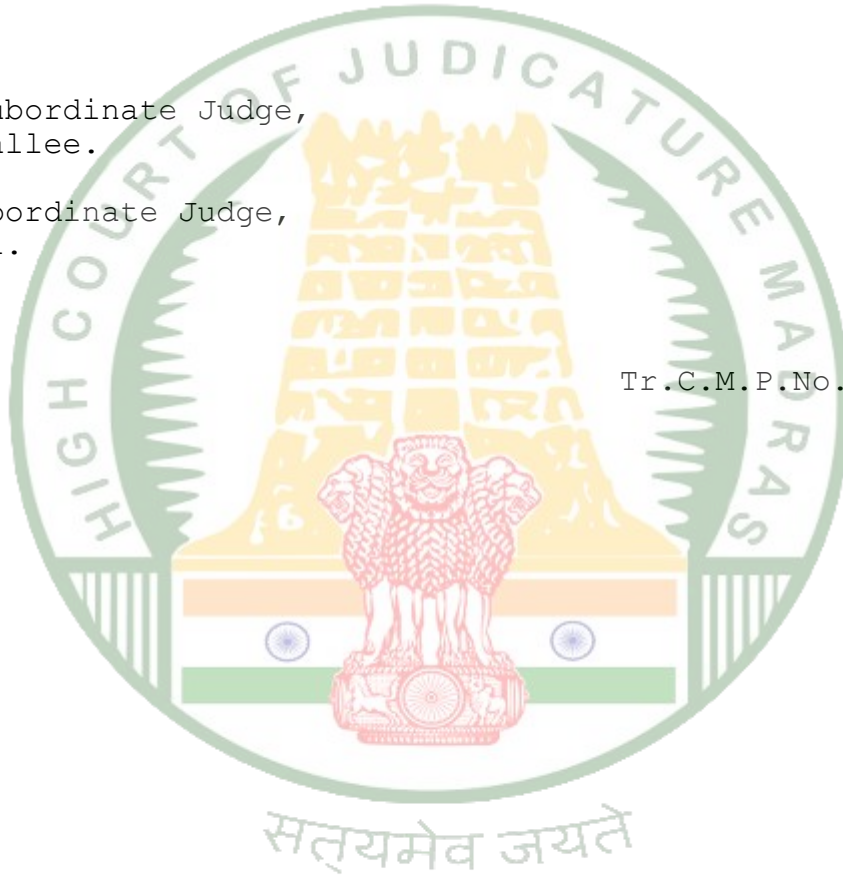
Sub-Assistant Registrar

To

1. The Subordinate Judge,
Poonamallee.
2. The Subordinate Judge,
Tenkasi.

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