

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2015

CORAM

The Hon'ble Mr.Justice D.Hariparanthaman

Tr. C.M.PNo.793 of 2014

and

M.P.Nos.1 and 2 of 2014

Mrs.Sujitha

... Petitioner

Vs.

Murali B.J.

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., with a prayer to withdraw H.M.O.P.No.3872 of 2014, from the file of the Family Court II, Chennai and to transfer the same to the Family Court, Coimbatore.

For Petitioner : Mr.R.Subramanian

For Respondent : Mr.R.Kamesh Kumar

ORDER

The petitioner herein is the wife and the respondent is the husband. The respondent/husband filed H.M.O.P.No.3872 of 2014, on the file of the Family Court No.II, Chennai, for restitution of conjugal rights. Now, the petitioner has filed the present transfer petition to transfer H.M.O.P.No.3872 of 2014, to Family Court, Coimbatore.

2. Heard both sides.

3. In view of Section 19(iii)(a) of the Hindu Marriage Act, which enunciates that H.M.O.P. can be tried at the place where the wife resides, and considering the law laid down by the Hon'ble Supreme Court that in matrimonial disputes, preference should be given to the convenience of the wife as to the place of hearing, I am of the view that H.M.O.P.No.3872 of 2014, filed by the respondent/husband has to be transferred to the file of Family Court, Coimbatore.

3. In the result, the Transfer Civil Miscellaneous Petition is allowed and the Family Court No.II, Chennai, is directed to transfer the petition in H.M.O.P.No.3872 of 2014, pending on its file to the file of Family Court, Coimbatore. No costs. Consequently, connected miscellaneous petitions are closed.

Sd

Sd/-

Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

1. The Family Court No.II,
Chennai.

2. The Family Court,
Coimbatore.

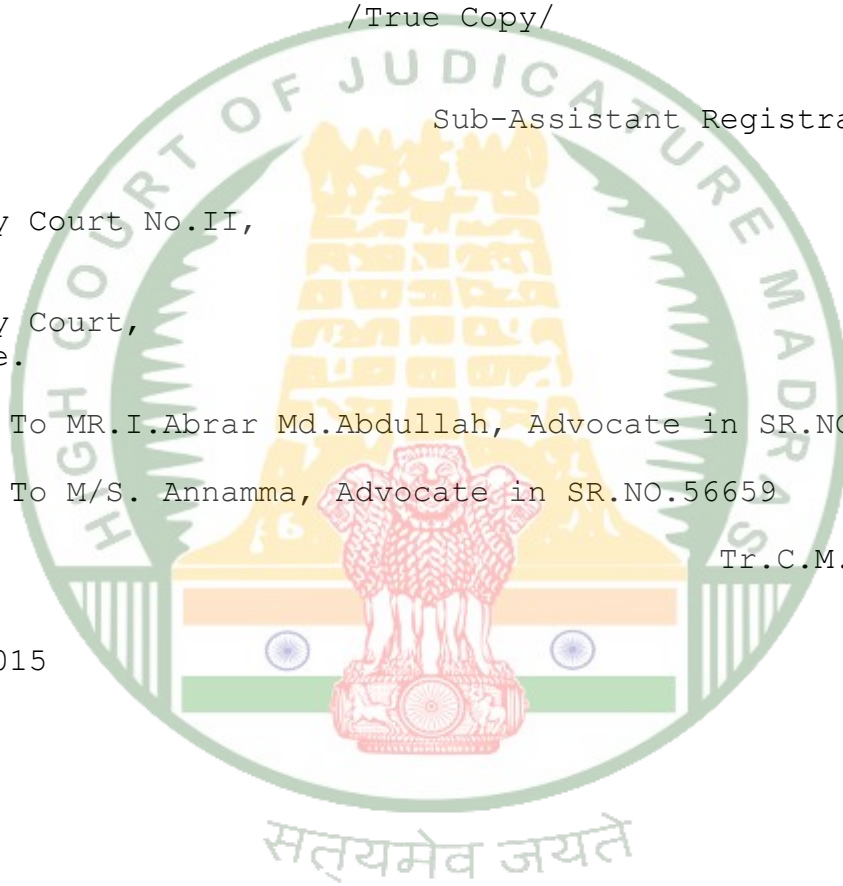
+1 C.C. To MR.I.Abrar Md.Abdullah, Advocate in SR.NO.55804

+1 C.C. To M/S. Annamma, Advocate in SR.NO.56659

Tr.C.M.PNo.793 of 2014

CTK(CO)

sd : 27/10/2015



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