

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2015

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.807 of 2014
and M.P.No.1 of 2014

R.Sathya

... Petitioner

vs.

M.Sathish Kumar

... Respondent

Transfer petition has been filed to withdraw H.M.O.P.No.736 of 2014 from the file of the Family Court at Tiruchirappalli and transfer the same to the Subordinate Judges Court at Perambalur.

For petitioner : Mr.P.Valliappan

For Respondent : Mr.D.Narayana Kumar

ORDER

The petitioner is the wife and the respondent is the husband. The respondent / husband filed H.M.O.P.No.736 of 2014 on the file of Family Court, Tiruchirappalli, seeking restitution of conjugal rights. The petitioner / wife resides at Perambalur. Hence, she has filed this petition to transfer the petition in H.M.O.P.No.736 of 2014 to the file of Sub Court, Perambalur.

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.736 of 2014 pending on the file of the Family Court, Tiruchirappalli has to be transferred to the file of Sub Court, Perambalur.

3. In the result, the transfer CMP is allowed and the learned Family Court Judge, Tiruchirappalli is directed to transfer the petition in H.M.O.P.No.736 of 2014 pending on his

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

vsm

-s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

To

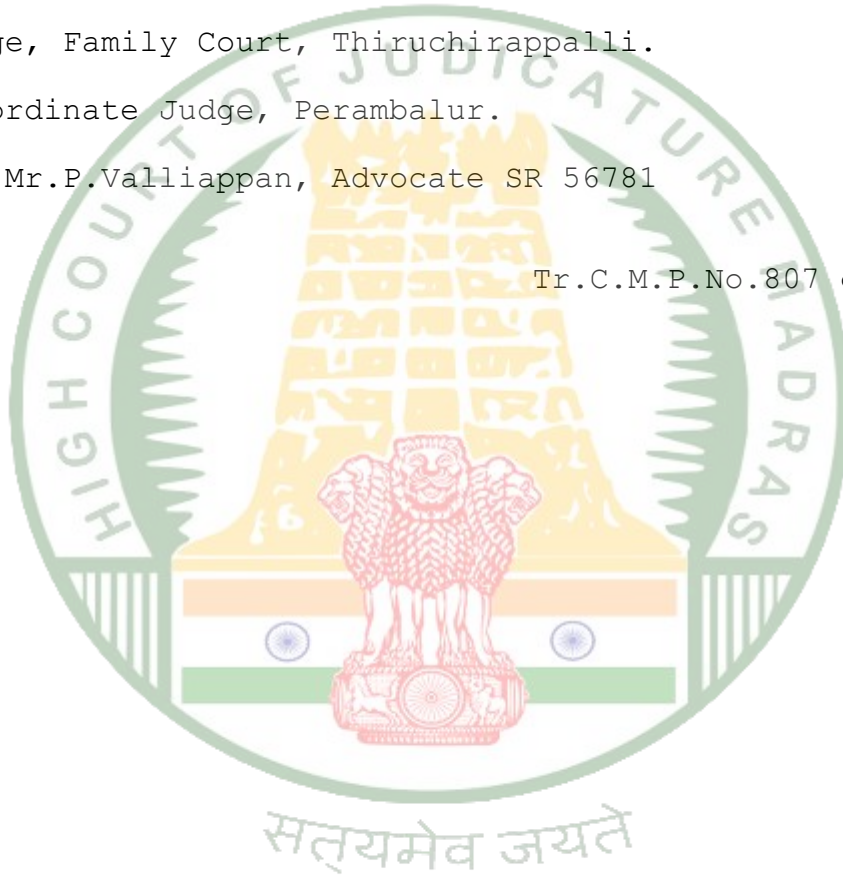
1.The Judge, Family Court, Thiruchirappalli.

2.The Subordinate Judge, Perambalur.

+ 1 cc to Mr.P.Valliappan, Advocate SR 56781

vsn(co)
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