

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2015

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.821 of 2014
and
M.P.No.1 of 2014

Kavitha

...Petitioner

vs.

Tamilarasan

...Respondent

Transfer petition has been filed to withdraw the case in H.M.O.P.No.118 of 2012 before the Principal Sub Court, Chengalpattu and transfer the same to Sub Court, Tindivanam.

For Petitioner : Mr.I.C.Vasudevan

For Respondent : Mr.M.Rajasekar

ORDER

The petitioner is the wife and the respondent is the husband. The respondent / husband filed H.M.O.P.No.118 of 2012 on the file of Principal Sub Court, Tindivanam, seeking restitution of conjugal rights. The petitioner / wife resides at Tindivanam. Hence, she has filed this petition to transfer the petition in H.M.O.P.No.118 of 2012 to the file of Sub Court, Tindivanam.

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.118 of 2012 pending on the file of the learned Principal Subordinate Judge, Chengalpattu has to be transferred to the file of Sub Court,

Tindivanam.

3. In the result, the transfer CMP is allowed and the learned Principal Subordinate Judge, Chengalpattu is directed to transfer the petition in H.M.O.P.No.118 of 2012 pending on his file to the file of learned Subordinate Judge, Tindivanam for disposal. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vsm

To

1.The Principal Subordinate Judge,
Chengalpattu.

2.The Subordinate Judge,
Tindivanam.

1 CC to Mr.I.C.Vasudevan, Advocate SR.No. 56079

Tr.C.M.P.No.821 of 2014

KSJ (CO)
PSI (26.10.2015)

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