

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2015

CORAM

THE HONOURABLE THIRU JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.146 of 2015

&

M.P.No.1 of 2015

A.Lavanya

...Petitioner

v.

R.Manikanda Kumaran

...Respondent

Tr.C.M.P. filed under section 24 of C.P.C., to withdraw H.M.O.P. No.14 of 2015 from the file of III Additional Sub Court at Madurai and transfer the same to the file of the II Additional Family court at Chennai to be tried along with O.P.No.43 of 2015.

For Petitioner : Mr.K.Premkumar

For Respondent : Ms.Gajalakshmi Rajendran

ORDER

The petitioner is the wife of the respondent. She has filed O.P.No.43 of 2015 on the file II Additional Family Court at Chennai for restitution of conjugal rights, while the respondent-husband filed H.M.O.P. No.14 of 2015 on the file of III Additional Sub Court at Madurai for dissolution of the marriage.

2. The petitioner herein has sought to withdraw H.M.O.P. No.14 of 2015 from the file of III Additional Sub Court, Madurai and to transfer the same to the II Additional Family Court, Chennai to be tried along with O.P.No.43 of 2015

3. Heard both sides.

4. Taking note of section 19(iii-a) of the Hindu Marriage Act and also it is well settled law that in the matrimonial dispute, preference should be given to the wife with respect to the place of hearing, I am inclined to transfer H.M.O.P. No.14 of 2015 filed by the husband from Madurai to Chennai.

3. Accordingly, a direction is issued to transfer H.M.O.P. No.14 of 2015 from the file of III Additional Sub Court, Madurai and to transfer the same to the II Additional Family Court, Chennai to be tried along with O.P.No.43 of 2015.

The Transfer C.M.P is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

Rj

To

1. The III Additional Sub Court,
Madurai.
2. The II Additional Family Court,
Chennai.

1 CC to Mr.K.Premkumar, Advocate SR.No. 50145

1 CC to Ms.Gajalakshmi Rajendran, Advocate SR.No. 50310

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M.P.No.1 of 2015

CNR (CO)
PSI (01.10.2015)