

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2015

CORAM :

THE HON'BLE MR. JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P. No.478 of 2015
and
M.P.Nos.1 and 2 of 2015

R.Snekaa

... Petitioner

Vs

T.D.Deva Vishnu

... Respondent

Petition filed under Section 24 C.P.C. to withdraw H.M.O.P.No.397 of 2014 pending on the file of Subordinate Court, Tirupur and transfer the same to the Family Court at Coimbatore.

For Petitioner : Mr.A.Palaniappan

For Respondent : Ms.Thenmozhi Shivaperumal

ORDER

The petitioner is the wife. The respondent is the husband. The respondent/husband filed H.M.O.P.No.397 of 2014 on the file of the Subordinate Court, Tiruppur for dissolution of marriage. The petitioner/wife resides at Coimbatore. Hence she has filed this petition to transfer the said petition to the file of Family Court, Coimbatore.

2.Learned counsel for the respondent, on instructions, would submit that the respondent has no objection to transfer the case in H.M.O.P.No.397 of 2014 on the file of Subordinate Court, Tiruppur to the file of Family Court, Coimbatore.

3.In view of Section 19 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.397 of 2014 pending on the file of the Subordinate Court, Tiruppur has to be transferred to the file of Family Court, Coimbatore.

4.In the result, the Transfer Civil Miscellaneous Petition is allowed and the learned Judge of Subordinate Court at Tiruppur is directed to transfer the petition in H.M.O.P.No.397 of 2014 pending on his file to the file of Family Court, Coimbatore, for disposal. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mmi

To

1.The Subordinate Judge,
Tiruppur.

2.The Judge,
Family Court,
Coimbatore.

+1cc to Mr.A.Palaniappan, Advocate, S.R.No.47605

+1cc to Ms.Thenmozhi Shivaperumal, Advocate, S.R.No.47454

Tr.C.M.P.No.478 of 2015

EV(CO)
CA(22/09/2015)

सत्यमेव जयते

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