

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.10.2015

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.554 of 2015

and M.P.No.1 of 2015

M.Nithya .. Petitioner

vs.

K.Kirubanandan .. Respondent

Transfer petition has been filed to withdraw H.M.O.P.No.72 of 2014 pending on the file of Sub Court, Kallakurichi and transfer the same to the file of Principal Family Court, Chennai for enquiry and disposal.

For petitioner : Mr.P.Mani

For Respondent : Mr.T.Gandhi

ORDER

The petitioner is the wife and the respondent is the husband. The respondent / husband filed H.M.O.P.No.72 of 2014 on the file of the Sub Court, Kallakurichi seeking divorce. The petitioner / wife resides at Chennai. Hence, she has filed this petition to transfer the petition in H.M.O.P.No.72 of 2014 to the file of Principal Family Court, Chennai.

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.72 of 2014 pending on the file of the learned Subordinate Judge, Kallakurichi has to be transferred to the file of Principal Family Court, Chennai.

3. In the result, the transfer CMP is allowed and the learned Subordinate Judge, Kallakurichi is directed to transfer the petition in H.M.O.P.No.72 of 2014 pending on his file to the file of learned Principal Judge, Family Court, Chennai, for disposal. No costs. Consequently, connected miscellaneous petition is closed.

sbi

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub-Assistant Registrar

To

1. The Subordinate Judge,
Kallakurichi.
2. The Principal Judge,
Family Court, Chennai.

+1 C.C. To MR.P.Mani, Advocate in SR.NO.53798 of 2015

+1 C.C. To MR.T.Gandhi, Advocate in SR.NO.53656 of 2015

Tr.C.M.P.No.554 of 2015

KGK(CO)

sd : 15/10/2015

सत्यमेव जयते

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