

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.10.2015

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.592 of 2015
and M.P.No.1 of 2015

P.K.Nalini Shree

... Petitioner

vs.

R.Praveen Kumar

... Respondent

Transfer petition has been filed to withdraw the petition in H.M.O.P.No.4987 of 2014 on the file of III Additional Family Court, Chennai and transfer the same to the Family Court, Trichy.

For petitioner : Ms.R.Kamal Rani

For Respondent : Mr.Guru, for
M/s.Hari and Guru Associates.

ORDER

The petitioner is the wife and the respondent is the husband. The respondent / husband filed H.M.O.P.No.4987 of 2014 on the file of the III Additional Family Court, Chennai, seeking divorce. The petitioner / wife resides at Trichy. Hence, she has filed this petition to transfer the petition in H.M.O.P.No.4987 of 2014 to the file of Family Court, Trichy.

2. Learned counsel appearing for the respondent vehemently opposed for transfer of the OP to the file of Family Court, Trichy, by filing counter affidavit.

3. However, 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.4987 of 2014 pending on the file of the learned III Additional Judge, Family Court, Chennai has to be transferred to the file of Family Court, Trichy.

4. In the result, the transfer CMP is allowed and the learned III Additional Judge, Family Court, Chennai is directed to transfer the petition in H.M.O.P.No.4987 of 2014 pending on her file

to the file of learned Judge, Family Court, Trichy, for disposal. No costs. Consequently, connected miscellaneous petition is closed.

sbi

s/d-
Assistant Registrar(V)

True Copy

Sub-Assistant Registrar

To

1. The III Additional Judge,
Family Court, Chennai.

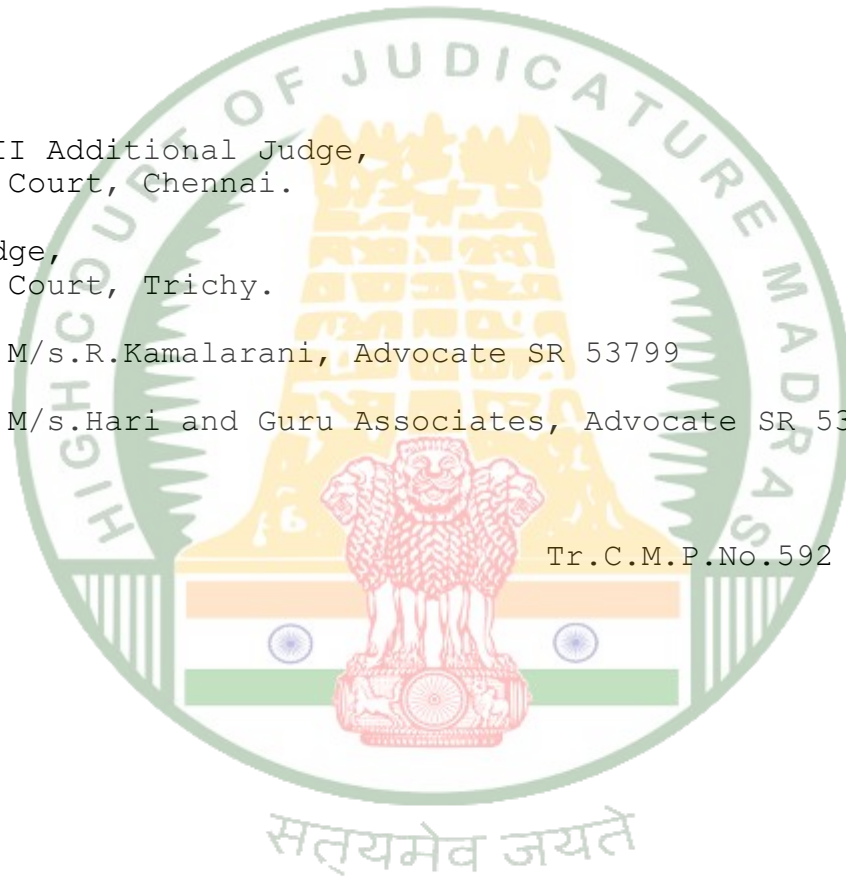
2. The Judge,
Family Court, Trichy.

+ 1 cc to M/s.R.Kamalarani, Advocate SR 53799

+ 1 cc to M/s.Hari and Guru Associates, Advocate SR 53710

sai(co)
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