

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2015

CORAM

The Hon'ble Mr.Justice D.Hariparanthaman

Tr. C.M.PNo.598 of 2015

and

M.P.No.1 of 2015

Sasikala ... Petitioner/Respondent

Vs.

Murugan ... Respondent/ Petitioner

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., with a prayer to withdraw H.M.O.P.No.1393 of 2014, from the file of the Family Court, Coimbatore and to transfer the same to the Sub Court, Tiruchengode, Namakkal District.

For Petitioner : Mr.N.Manokaran
For Respondent : Mr.C.Deiva Sigamani

ORDER

The petitioner herein is the wife and the respondent is the husband. The respondent/husband filed H.M.O.P.No.1393 of 2014, on the file of the Family Court, Coimbatore, to declare their marriage as null and void. Now, the petitioner has filed the present transfer petition to transfer H.M.O.P.No.1393 of 2014, to the Sub Court, Tiruchengode, Namakkal District.

2. Heard both sides.

3. In view of Section 19(iii)(a) of the Hindu Marriage Act, H.M.O.P. has to be tried at the place where the wife resides, and considering the law laid down by the Hon'ble Supreme Court that in matrimonial disputes, preference should be given to the convenience of the wife as to the place of hearing, I am of the view that H.M.O.P.No.1393 of 2014, filed by the husband/respondent has to be transferred to the file of Sub Court, Tiruchengode, Namakkal District.

3. In the result, the Transfer Civil Miscellaneous Petition is allowed and the learned Judge, Family Court, Coimbatore, is directed to transfer the petition in H.M.O.P.No.1393 of 2014, pending on his file to the file of Sub Court, Tiruchengode, Namakkal District. No costs. Consequently, connected miscellaneous petition is closed.

sd/
ASSISTANT REGISTRAR (CS-IV)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

sd

To

1. The Judge,
Family Court, Coimbatore.

2. The Sub Judge, Tiruchengode,
Namakkal District

+1 CC to MR. C.Deiva Sigamani ADVOCATE. SR.NO. 55905

+1 CC to MR.N.Manokaran ADVOCATE. SR.NO. 55898

Tr. C.M.PNo.598 of 2015

CO-MSM
JD 26/10/2015

सत्यमेव जयते

WEB COPY