

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.10.2015

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.608 of 2015

and

M.P.No.1 of 2015

B.Uma Maheswari

...Petitioner

vs.

G.Elangovan

...Respondent

Transfer petition has been filed to transfer H.M.O.P.No.44 of 2015 on the file of Subordinate Judge, Thiruvannamalai, Thiruvannamalai District to the file of II Additional Family Court at Chennai.

For petitioner : Mr.A.Swaminathan

For Respondent : Mr.R.Chithiraputhiran

ORDER

The petitioner is the wife and the respondent is the husband. The respondent / husband filed H.M.O.P.No.44 of 2015 on the file of the learned Subordinate Judge, Thiruvannamalai for divorce. The petitioner / wife filed a petition in H.M.O.P.No.2617 of 2015 on the file of II Additional Family Court, Chennai for restitution of conjugal rights. Hence, she has filed the present transfer CMP to transfer the petition in H.M.O.P.No.44 of 2015 to the file of II Additional Family Court, Chennai, to be tried along with H.M.O.P.No.2617 of 2015 filed by her.

2. 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.44 of 2015 pending on the file of learned Subordinate Judge, Thiruvannamalai has to be transferred to the file of II Additional Family Court, Chennai, to be tried along with H.M.O.P.No.2617 of 2015.

3. In the result, the transfer CMP is allowed and the learned Subordinate Judge, Thiruvannamalai is directed to transfer the petition in H.M.O.P.No.44 of 2015 pending on his file to the file of learned II Additional Judge, Family Court, Chennai to be tried along with H.M.O.P.No.2617 of 2015. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

sbi

To

1. The II Additional Judge,  
Family Court, Chennai.
2. The Subordinate Judge,  
Thiruvannamalai.

1 CC to Mr.A.Swaminathan, Advocate SR.No. 53476

1 CC to Mr.R.Chithiraputhiran, Advocate SR.No. 53464

1 CC to C.Veeraraghavan, Advocate SR.No. 48754

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SK (CO)  
PSI (09.10.2015)