

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.639 of 2015 and
M.P.No.1 of 2015

J.Arokyaraj

.. PETITIONER

Vs

M.Daisy Selvamani

.. RESPONDENT

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code to transfer I.D.O.P.No.37 of 2013 pending on the file of Principal District Judge at Thiruvallur to the file of the Family Court at Chennai.

For petitioner : Ms.Selvi George
for M/s.Majestic Law Firm

For Respondent :

O R D E R

The petitioner is husband. He filed IDOP.No.37 of 2013 on the file of the Principal District Judge, Tiruvallur for restitution of conjugal rights.

2. Now, he has filed this petition to transfer the said IDOP.No.37 of 2013 from Tiruvallur to Chennai Family Court. The reason is that the father of the petitioner gave a First Information Report dated 24.03.2015 in FIR.No.144 of 2015 on the file of the B.2 Tiruvallur Taluk Police Station complaining that he was assaulted. A case under Sections 147, 294-b and 323 of IPC is registered as against the accused persons.

3. The learned Counsel for the petitioner has sought to transfer the IDOP.No.37 of 2013 based on the aforesaid F.I.R.

4. I am not inclined to transfer the IDOP.No.37 of 2013 on the file of the learned Principal District Judge, Tiruvallur to the Family Court at Chennai since it is well settled in the matrimonial disputes that the convenience of wife is given preference in the matter of place of hearing. For all the aforesaid reasons, I am not inclined to allow this petition.

5. In the result, the Transfer Civil Miscellaneous Petition is dismissed, however, with liberty to the petitioner to work out his remedy in respect of the alleged F.I.R. in the manner known to law. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

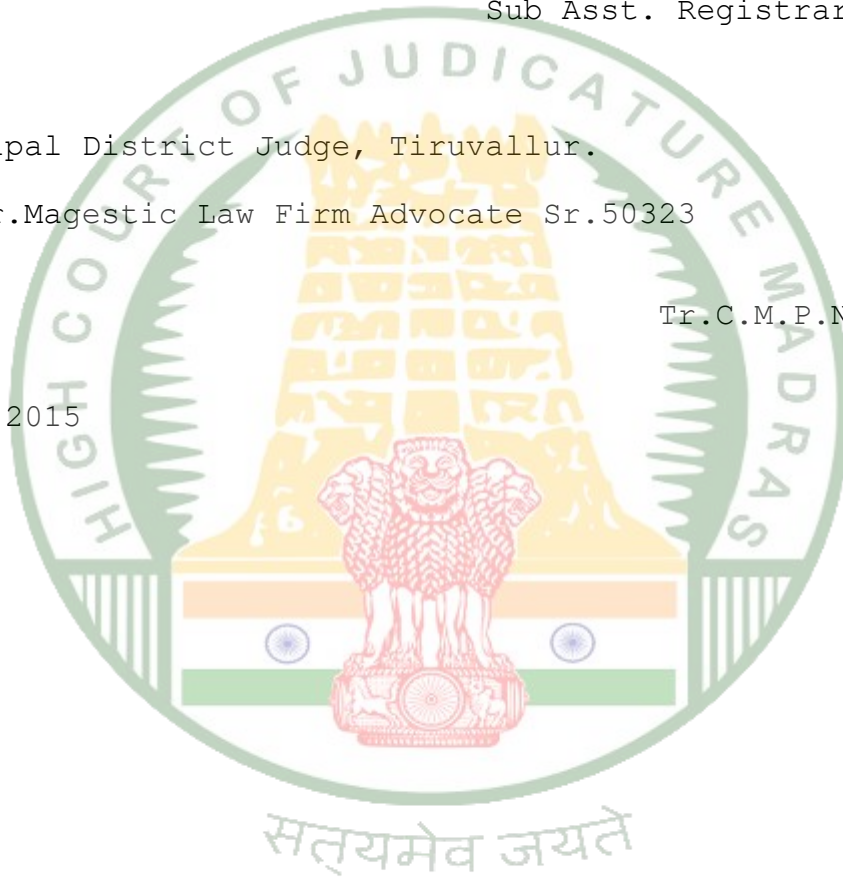
To

The Principal District Judge, Tiruvallur.

+1cc to Mr.Magestic Law Firm Advocate Sr.50323

Tr.C.M.P.No.639 of 2015

ctk[co]
srg 29.09.2015



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