

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.644 of 2015

and

M.P.No.1 of 2015

S.Megala

...PETITIONER

Vs

V.Saravanakumar

...RESPONDENT

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code to withdraw the case in HMOP.No.93/2015 on the file of the Subordinate Judge, Tiruppur and transfer the same to the file of the II Additional Family Court, Chennai for being simultaneously tried along with HMOP.No.2709 of 2015 therein.

For Petitioner : Ms.P.Uma

For Respondent : Mr.S.P.Meenakshisundaram

O R D E R

The petitioner herein is the wife. She has filed HMOP.No.2709 of 2015 on the file of the learned II Additional Judge, Family Court, Chennai.

2. The respondent is the husband. The respondent-husband filed HMOP.No.93 of 2015 on the file of the learned Subordinate Judge, Tiruppur.

3. The petitioner resides at Chennai. Hence, she has filed this petition to transfer HMOP.No.93 of 2015 on the file of the learned Subordinate Judge, Tiruppur to the file of the learned II Additional Judge, Family Court, Chennai to be tried along with HMOP.No.2709 of 2015.

4. Heard both sides.

5. It is well settled in the matrimonial disputes that the convenience of wife is given preference in the matter of place of hearing. Furthermore, Section 19 (iii)(a) of the Hindu Marriages Act states that the matrimonial disputes could be heard at the place of residence of the wife. For all the aforesaid reasons, I am inclined to allow this petition.

6. In the result, the Transfer Civil Miscellaneous Petition is allowed by transferring the HMOP.No.93 of 2015 on the file of the learned Subordinate Judge, Tiruppur, to the file of the learned II Additional Judge, Family Court, Chennai to be tried along with HMOP.No.2709 of 2015. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

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To

1. The Subordinate Judge,
Tiruppur.

2. The II Additional Judge,
Family Court,
Chennai.

1 CC to Ms.P.Uma, Advocate SR.No. 57442

AK (CO)
PSI (30.10.2015)

Tr.C.M.P.No.644 of 2015

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