

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2015

Coram

THE HONOURABLE MR. JUSTICE B. RAJENDRAN

Criminal Revision Case No.619 of 2015

and

M.P.No.1 of 2015

1. G.Padmini
2. G.Tamilarasi
3. G.Dhanasekar

... Petitioners/Appellants

Versus

A.Ganesan

... Respondent/Respondent

Criminal Revision Case filed under Sections 397 and 401 of Cr.P.C. against the order dated 02.01.2013 passed by the learned II Additional Principal Family Judge, Family Court, Chennai in M.C.No.261 of 2006.

For Petitioners : Mr.Jemmy Vasanth

ORDER

The above Criminal Revision Case has been filed as against the order dated 02.01.2013 passed by the learned II Additional Principal Family Judge, Family Court, Chennai in M.C.No.261 of 2006 in dismissing the petition filed by the petitioners under Section 125 of the Criminal Procedure Code on the point of jurisdiction.

2. Heard the learned counsel for the petitioners and perused the materials available on record.

3. On a perusal of the order passed by the Court below, it is evident that the Maintenance petition was dismissed only on the ground of jurisdiction point and not on merits. It has clearly held that the Court below has no jurisdiction to entertain the said petition since as on the date of filing the said petition, the petitioners are not residing within the jurisdiction of the Court below as admitted by the petitioners themselves. It is further stated that the petitioners are residing in Thoraipakkam and the said area comes only within the jurisdiction of Chingleput District. Accordingly, the petition was dismissed by giving liberty to the petitioners to withdraw the said maintenance petition and to file a fresh application before the competent jurisdiction in accordance with law. The said order was passed during the year 2013. However,

without complying with the said order, after prolonging the matter for two years, the petitioners have come before this Court by way of this revision.

4. In view of the above factual finding given by the Court below, I do not find any valid reason to interfere with the same. Accordingly, this criminal revision case is dismissed. However, it is open to the petitioners to approach the appropriate forum in the manner known to law. Consequently the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

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Sub Assistant Registrar

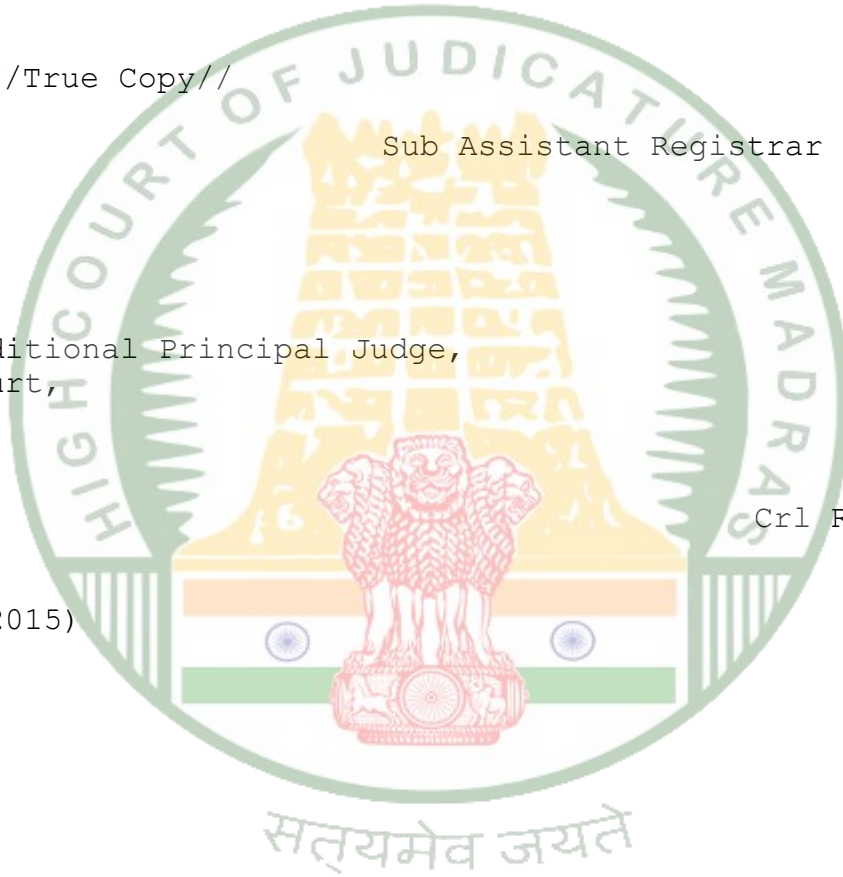
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To

The II Additional Principal Judge,
Family Court,
Madras

NM(CO)
CA(07/07/2015)

Crl RC No.619 of 2015



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