

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2015

CORAM

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

TR.C.M.P.No.627 of 2015
and
M.P.No.1 of 2014

G.Balakrishnan

... Petitioner

Vs.

Krishnaveni

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code praying to withdraw and transfer the H.M.O.P.No.97/2014 pending on the file of the Subordinate Court Pollachi, to the file of Judicial Magistrate No.I, Pollachi to be tried along with C.C.No.192/2014.

For Petitioner : Mr.C.Veeraraghavan

ORDER

This petition is filed seeking to withdraw and transfer the H.M.O.P.No.97/2014 pending on the file of the Subordinate Court Pollachi, to the file of Judicial Magistrate No.I, Pollachi to be tried along with C.C.No.192/2014.

2.The petitioner is the husband. He filed H.M.O.P.No.97 of 2014 on the file of Sub Court, Pollachi to declare that the marriage is voidable one.

3. The respondent/wife filed a complaint under Section 498(A) I.P.C. and based on the same, a charge sheet in C.C.No.192/2014 is laid on the file of learned Judicial Magistrate I, Pollachi.

4. Now the petitioner seeking to withdraw and transfer the HMOP No.97 of 2014 pending on the file of the Subordinate Court, Pollachi to the file of Judicial Magistrate No.I, Pollachi to be tried along with C.C.No.192/2014. I am of the view that the

petitioner cannot seek to transfer the H.M.O.P.No. 97 of 2014 to be tried along with the criminal case, which was filed under Section 498 (A) IPC.

5. Hence, this Transfer Miscellaneous Petition fails and the same is dismissed. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

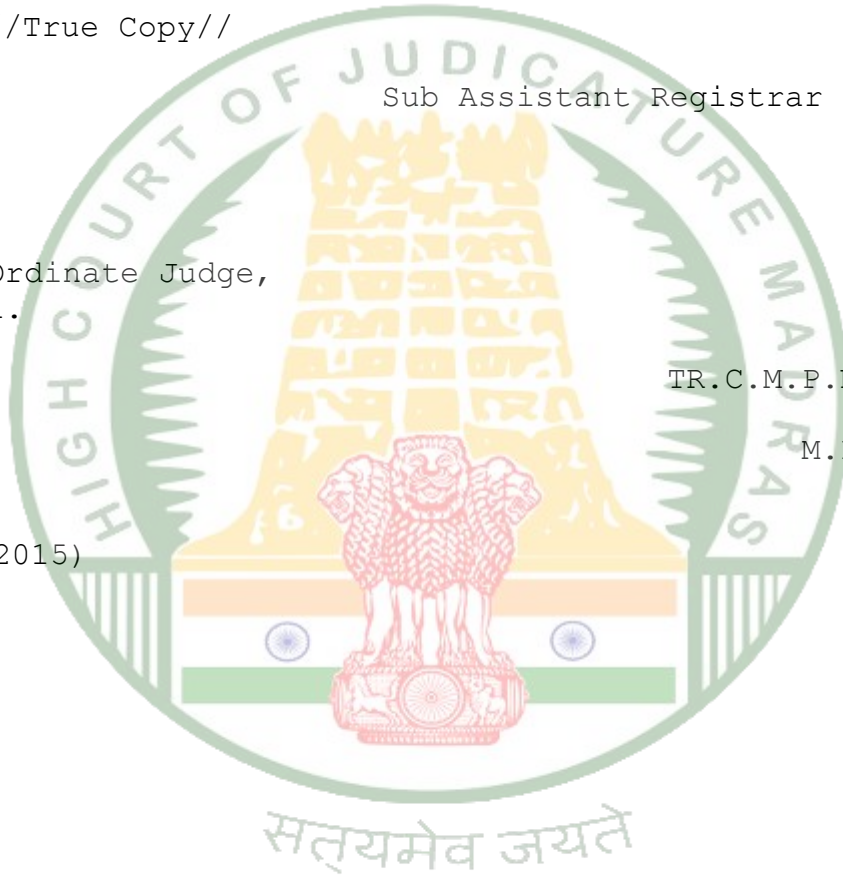
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To

1.The SubOrdinate Judge,
Pollachi.

TR.C.M.P.No.627 of 2015
and
M.P.No.1 of 2015

TS (CO)
CA(30/09/2015)



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