



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Cr1.O.P.(MD)No.8760 of 2015

and

M.P.(MD).No. 1 of 2015

Priya

... Petitioner/Petitioner

Vs.

T.Saravanan

... Respondent/Petitioner

Prayer : Criminal Original Petition is filed under Section 407 of the Code of Criminal Procedure, praying to transfer the M.C.No.13 of 2010 pending on the file of the Judicial Magistrate No.I, Kovilpatti to the Family Court, Coimbatore.

For Petitioner	: Mr.S.Pon Senthil Kumaran
For Respondent	: Mr.S.Gokulraj

O R D E R

The petitioner being the wife of the respondent has been filed this petition, seeking transfer of M.C.No.13 of 2010 on the file of the learned Judicial Magistrate No.I, Kovilpatti to the family court, Coimbatore.

2. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondent and perused the materials available on record.

3. The law on transfer between a wife and a husband is quite well settled. The interest of the lady is the pre-dominant consideration. The learned counsel for the petitioner submitted that the petitioner's age old mother is accompanying the petitioner and her minor son at Coimbatore in her house. There is no one to accompany her to attend each and every hearing, before the Judicial Magistrate No.I court at Kovilpatti.

4. Considering the facts and circumstances of the case, this court is directed to transfer the M.C.No.13 of 2010 on the file of the learned Judicial Magistrate No.I, Kovilpatti to the Family Court, Coimbatore.



5. Therefore, the learned Judicial Magistrate No.I, Kovilpatti is directed to transfer M.C.No.13 of 2010 to the file of the Family Court, Coimbatore within a period of four weeks from the date of receipt of a copy of this order.

WEB COPY

6. This Criminal Original Petition is allowed with the above direction. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

PJL

To

- 1.The Judicial Magistrate No.I, Kovilpatti.
- 2.The Family Court, Coimbatore.

JAM/5.9.15/2P-3C

CrI.O.P. (MD) No.8760 of 2015
and
M.P. (MD) .No. 1 of 2015

24.07.2015