

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2016

CORAM

THE HONOURABLE MS.JUSTICE R. MALA

CRL.O.P.No.1370 of 2016

and

CrI.M.P.No.625 of 2016

M.Balakumar @ Vinoth

.. Petitioner

.. Vs ..

N.Durga @ Vaishnavi

.. Respondent

Prayer:- Criminal Original Petition filed under Section 407 of the Code of Criminal Procedure, praying to withdraw the M.C.No.14 of 2015 on the file of the learned Judicial Magistrate No.II, Attur, Salem District and transfer the same to the II Additional Family Court, Chennai, to be tried along with H.M.O.P.No.3486 of 2014 pending on the file of the II Additional Family Court, Chennai.

For Petitioner : Mr.A.D.Janarthanan

For Respondent : Mr.Shanmuga Velayutham

ORDER

The petitioner has come forward with this petition under Section 407 of the Code of Criminal Procedure, seeking to withdraw the M.C.No.14 of 2015 pending on the file of the learned Judicial Magistrate No.II, Attur, Salem District and transfer the same to the II Additional Family Court, Chennai, to be tried along with H.M.O.P.No.3486 of 2014 pending on the file of the II Additional Family Court, Chennai.

2. Learned counsel for the petitioner would submit that the matter has been settled between the parties and part amount has been paid. It is further submitted by the learned counsel for the petitioner that he has no objection to transfer the maintenance case in M.C.No.14 of 2015 pending on the file of the learned Judicial Magistrate No.II, Attur, Salem District, to the file of the II Additional Family Court, Chennai and he has also

made an endorsement to that effect.

3. Heard the learned counsel for the respondent and perused the materials available on record.

4. Considering the facts and circumstances of the case, the case in M.C.No.14 of 2015 pending on the file of the learned Judicial Magistrate No.II, Attur, Salem District, is ordered to be withdrawn and the same is transferred to the file of the II Additional Family Court, Chennai, for joint trial along with H.M.O.P.No.3486 of 2014.

5. With the above observation, this Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

Jrl

To

1. The Judicial Magistrate No.II,
Attur, Salem District.

2. The II Additional Family Court,
Chennai.

+1 cc to Mr.A.D.Janathanan, Advocate sr.14574/16

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