

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.14897 of 2016

and Crl.MP.No.7405 of 2016

Carol Navamani

...

Petitioner

Vs

Leo Pravin Kumar

...

Respondent

Prayer:- Criminal Original Petition filed under Section 407 of the Code of Criminal Procedure to withdraw the M.C.No.9 of 2015 on the file of Family Court, Thiruvallur and transfer the same to I Additional Family Court, Chennai.

For Petitioner : M/s.Star Associates

For Respondents : Mr.C.Emalias, APP

ORDER

This Criminal Original Petition has been filed to withdraw the case in M.C.No.9 of 2015 on the file of Family Court, Thiruvallur and to transfer the same to I Additional Family Court, Chennai.

2. For the sake of convenience, the parties will be referred to by their names.

3. Leo Pravin Kumar got married to Carol Navamani on 11.06.2012, and they have one child through their wedlock. On account of matrimonial discard, the parties are estranged. Carol Navamani has filed a petition under Section 125 Cr.P.C. in M.C.No.9 of 2015, in the Family Court, Tiruvallur, against her husband Leo Pravin Kumar, seeking monthly maintenance.

4. In the meantime, Leo Pravin Kumar has filed divorce proceedings against Carol Navamani, which is now pending in IDOP.No.174 of 2016, before the I Additional Family Court, Chennai.

5. Under such circumstances, Carol Navamani has approached this Court for transfer of M.C.No.9 of 2015 from the file of Family Court, Tiruvallur, to the file of I

Additional Family Court, Chennai, to be heard along with IDOP.No.174 of 2016. Since, Carol Navamani is seeking to transfer the case filed by her, this Court is of the view that it may not be necessary to issue notice to Leo Pravin Kumar, inasmuch as Leo Pravin Kumar has initiated IDOP.No.174 of 2016, which is pending on the file of the I Additional Family Court, Chennai.

6. Hence, the case in M.C.No.9 of 2015 is transferred from the file of Family Court, Tiruvallaur to the file of I Additional Family Court, Chennai, to be heard along with IDOP.No.174 of 2016. The learned Family Judge, Tiruvallur is directed to transfer the case in M.C.No.9 of 2015 to the I Additional Family Court, Chennai, within two weeks from the date of receipt of a copy of this order.

With the above direction, this Criminal Original Petition is closed. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ds

To

1. The Ist Additional Family Court,  
Chennai.

2. The Family Court,  
Thiruvallur.

1 cc to M/s.Star Associates, Advocates, sr.39787

Cr1.OP.No.14897 of 2016

rv co  
kra 29.07.2016