

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

CrI.O.P.No.27484 of 2016
and
CrI.M.P.No.14051 of 2016

P.Sunitha

[Petitioner]

Vs

1.Praveen
2.Anitha @ Khivni Devi
3.Dagraram Chowdhary
4.Suaa Devi
5.Vimala

[Respondents]

Petition filed under Section 407(1) of the Criminal Procedure Code, to withdraw the complaint in D.V.A.C.No.5 of 2016 from the file of the Judicial Magistrate, Sriperumbudur, Kancheepuram District and transfer the same to any Metropolitan Magistrate Court at George Town, Chennai-600001, Chennai District.

For Petitioner : Mr.J.L.Rajkumar Roberts

For Respondents : Mr.M.Shreedhar

O R D E R

This petition has been filed for a direction to withdraw the complaint in D.V.A.C.No.5 of 2016 from the file of the Judicial Magistrate, Sriperumbudur, Kancheepuram District and transfer the same to any Metropolitan Magistrate Court at George Town, Chennai-600001, Chennai District.

2.When this Criminal Original Petition was taken up, the learned counsel for the petitioner has submitted that the petitioner filed a divorce petition against the first respondent, in HMOP No.16 of 2016 before the Subordinate Court, Kanchipuram, a maintenance case against the first respondent in M.C.No.6 of 2016 before the Judicial Magistrate, Sriperumbudur, apart from filing a complaint against the respondents in DVAC No.5 of 2016 before the Judicial Magistrate, Sriperumbudur,

since they are jurisdictional Courts. Stating so, the learned counsel for the petitioner submitted that the petitioner finds it very difficult to travel to Sriperumbudur from Chennai to attend the Court at Sriperumbudur in respect of the complaint filed in DVAC No.5 of 2016 and hence the same may be directed to be transferred from the file of the Judicial Magistrate, Sriperumbudur, to the file of the VII Metropolitan Magistrate Court, George Town, Chennai.

3.The learned counsel for the respondent has submitted that he has no objection for the petitioner to transfer the complaint in DVAC No.5 of 2016 from the file of the Judicial Magistrate, Sriperumbudur, to the file of the VII Metropolitan Magistrate Court, George Town, Chennai.

4.In view of the above submissions, the complaint in DVAC No.5 of 2016 is withdrawn from the file of the Judicial Magistrate, Sriperumbudur and transferred to the file of the VII Metropolitan Magistrate Court, George Town, Chennai.

5.The Criminal Original Petition is disposed of accordingly. Consequently, the connected miscellaneous petition is closed.

sd/
Assistant Registrar(CS IV)

/true copy/

Sub Assistant Registrar

KM

To

1.The Judicial Magistrate, Sriperumbudur.

2.The VII Metropolitan Magistrate Court, George Town, Chennai.

+2cc to Mr.J.K.Rajkumar, Advocate SR.No.8458

+1cc to Mr.M.Shreedhar, Advocate SR.No.8758

CrI.O.P.No.27484 of 2016
and
CrI.M.P.No.14051 of 2016

VSN(CO)
GN(22/02/2017)