

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 29.03.2019
CORAM:
THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.1140 of 2019

Kannusamy K.

... Petitioner

Vs.

K.Pavithran

... Respondent

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to withdraw the hearing in the above maintenance case No.39 of 2018, pending on the file of the Family Court, Erode, and transfer the hearing of the same to the file of Family Court, Chennai or to the file of the Family Court, Nilgiris District.

For Petitioner : Mr.C.Vijay

For Respondent : Mr.D.Selvaraju

O R D E R

The petitioner has filed this petition seeking for a direction to transfer the maintenance case in M.C.No.39 of 2018 on the file of the Family Court, Erode to the Family Court, Chennai or Family Court, Nilgiris District, for the reason that the petitioner is working as a Security Officer at Nilgiris District.

2.Heard Mr.C.Vijay, learned counsel for the petitioner and Mr.D.Selvaraju, learned counsel for the respondent.

3.It is seen from the records that the petitioner is the father and the respondent is the son. The petitioner is not maintaining his son since there is a dispute between his wife and the petitioner herein. In fact, the petitioner has also filed a suit for partition in O.S.No.206 of 2019 on the file of the Sub-Court, Erode and the same is pending. Even now, the petitioner has filed the present petition seeking for transfer of the case is nothing but to drag on the proceedings.

4.Considering the above facts and circumstances, this Court does not find any merits to transfer the case as sought for by the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, considering that the maintenance case is of the year 2018, the trial Court is directed to complete the trial

proceedings in M.C.No.39 of 2018, within a period of six months from the date of receipt of copy of this order.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

rm

To

1.The Judge,
Family Court,
Chennai.

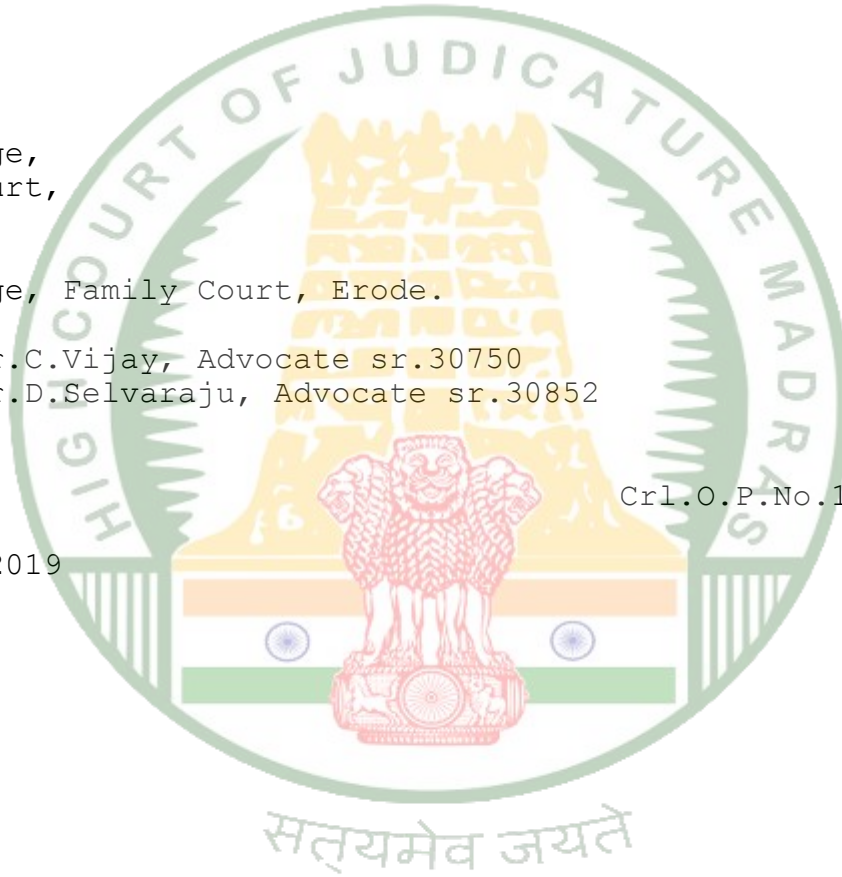
2.The Judge, Family Court, Erode.

+1cc to Mr.C.Vijay, Advocate sr.30750

+1cc to Mr.D.Selvaraju, Advocate sr.30852

Crl.O.P.No.1140 of 2019

nr 10/05/2019



WEB COPY