

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.27087 of 2016
and
CrI.M.P.No.13708 of 2016

T.Prabakaran

...Petitioner

-Vs-

1.C.Sujatha Bai

2.Janani (Minor),

(Respondent 2 is minor represented herein
by her Mother & Natural Guardian

C.Sujatha Bai the 1st petitioner herein above named)

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to withdraw and transfer the M.C.No.17 of 2016, in the file of the learned Judicial Magistrate, Ambattur and heard along with H.M.O.P.No.9 of 2014 which is to be transferred before the learned Principal Judge, Family Court, Chennai as per the order of this Court in Tr.C.M.P.No.176 of 2015.

For Petitioner : Mr.P.Raja

For Respondent : Mr.N.Suresh

ORDER

This petition has been filed seeking for transfer the proceedings pending on the file of the Judicial Magistrate, Ambattur to the file of the Principal Family Court, Chennai.

2. The learned Counsel for the petitioner submitted that already H.M.O.P.No.9 of 2014 was transferred from the file of the Sub Court, Vaniyambadi to the file of the Family Court Chennai by virtue of an order passed by this Court in Tr.C.M.P.No.176 of 2015. The learned counsel therefore submitted that the maintenance case that has been initiated by the respondent before the Judicial Magistrate Ambattur, can also be transferred to the file of Family Court, Chennai, so that

both the cases can be tried before the same Court and the parties will find it convenient to attend the proceedings.

3.The learned counsel for the respondent submitted that the respondent does not have any objection in transferring the maintenance case to the file of Principal Family Court, Chennai.

4.Taking into consideration the facts and circumstances of the case, the proceedings in M.C.No.17 of 2016, pending on the file of the Judicial Magistrate, Ambattur is withdrawn and transferred to the file of the Principal Family Court, Chennai. The learned Judicial Magistrate, Ambattur, shall transfer the entire case records to the Family Court, Chennai within a period of two weeks from the date of receipt of copy of this order. On receipt of the case records, the Principal Judge, Family Court, Chennai is directed to take up the case and dispose it of within a period of three months thereafter.

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

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mpa

To

- 1) The Judicial Magistrate,
Ambattur.
- 2) The Principal Judge,
Family Court, Chennai.

+2 ccs to Mr.N.Suresh, Advocate, S.R.No.63258

SJ(CO)
SSM(29/07/2019)

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