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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.14669 of 2019

1.L.Uma Maheswari @ Rekha
2.Shalini
3.Kailash

...Petitioners

-Vs-

P.Ramkumar

...Respondent

Prayer: Criminal Original petition filed under Section 407 of Code of Criminal Procedure, to withdraw and transfer the MP.No.822 of 2018 in MC.No.89 of 2016 filed by the petitioner herein on the file of VII Additional Judge, Family Colurt, Chennai to the file of Family Court, Puducherry.

For Petitioners: Mr.M.V.Balakrishnan

For Respondent : M/s.P.V.Rajeswari

O R D E R

This petition has been filed seeking to transfer the proceedings pending in M.C.No.89 of 2016, on the file of the VII Additional Family Court, Chennai.

2.The petitioners have filed M.C.No.89 of 2016 seeking for maintenance against the respondent. This petition is pending before the VII Additional Family Court, Chennai.

3.The learned counsel for the petitioners submitted that the petitioners and the respondent are residing at Puducherry and already the HMOP filed by the husband for divorce is pending in M.O.P.No.298 of 2016 before the Family Court, Puducherry and the parties are attending the said proceedings. Therefore, the learned counsel submitted that the maintenance case can also be transferred to the very same Court so that it will be convenient for both the parties to attend the proceedings before the same Court.

4.The learned counsel for the respondent submitted that the proceedings are pending from the year 2016 onwards and the 1st



petitioner has also filed a petition seeking for interim maintenance in the matrimonial proceedings pending before the Family Court, Puducherry. The learned counsel submitted that some time may be fixed for conclusion of the proceedings.

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5. Taking into consideration the facts and circumstances of the case, this Court is inclined to transfer the proceedings in M.C.No.89 of 2016 from the file of the VII Additional Family Court, Chennai to the file of the Family Court, Puducherry. This will be convenient for both the parties since both of them are residing at Puducherry and there is already a proceeding pending before the very same Court in M.O.P.No.298 of 2016.

6. In the result, this Criminal Original Petition is allowed and the proceedings in M.C.No.89 of 2016 is withdrawn from the file of the VII Additional Family Court, Chennai and transferred to the file of the Family Court, Puducherry. The case records shall be sent to the Family Court, Puducherry within a period of three weeks from the date of receipt of copy of this order. Immediately on receipt of the case records, the Family Court, Puducherry shall dispose of the maintenance case as expeditiously as possible.

vs

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The VII Additional Judge,
Family Court, Chennai.

2. The Judge,
Family Court,
Puducherry.

+1cc to Mr.M.V.Balakrishnan, Advocate, SR.No.59661
+1cc to Mrs.P.V.Rajeswari, Advocate, SR.No.60304

Cr1.O.P.No.14669 of 2019

Kak(03/09/2019)