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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

CRL.O.P. (MD) No.4976 of 2019

and

CrI.M.P. (MD) .No.3107 of 2019

B.Pankajalakshmi : Petitioner/Petitioner

-Vs-

R.Mathurubutham : Respondent/Respondent

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code, to pass an order to withdraw M.C.No.127 of 2009 from the file of V Additional Family Court, Chennai to the file of the Family Court, Trichy.

For Petitioner : Mr.T.Lenin Kumar

O R D E R

The petitioner who has filed a case in M.C.No.127 of 2009 before the V Additional Family Court, Chennai, under Section 125 Cr.P.C has now seeks transfer of this case.

2. The learned counsel appearing for the petitioner submits that the petitioner was originally living in Chennai and as she has now moved to Trichy and since this is the only case pending, she has left with no other option, but to seek transfer of this case. He also added that earlier, the respondent had preferred a petition for restitution of conjugal rights before the Family Court, Chennai, and now the same was withdrawn by him. He also added that the case is pending since 2009 without making headway.

3.The learned V Additional Family Court, Chennai, comes within the jurisdiction of the Principal Seat. It will be only appropriate that the petitioner moves the Principal seat, since the Principal seat will have multiple options to deal with the ongoing litigation in M.C.No.127 of 2009.

4.With the above said observations, the Criminal Original Petition stands disposed of. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //



tsg

To

1.The V Additional Family Court, Chennai.

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+1CC TO MR.T.LENIN KUMAR, Advocate Sr. No.58748

Order made in

CRL.O.P. (MD) No.4976 of 2019

03.04.2019

MR (CO)

TR (30.04.2019) 2P 3C