



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.4347 of 2019
and
Crl.M.P. (MD)No.2634 of 2019

M.Senthilmurugan ...Petitioner/1st Respondent
Vs.

Muthumari ... Respondent/Petitioner

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to withdraw the D.V.O.P.No.9 of 2017 on the file of the Principal District Munsif Cum Judicial Magistrate Court, Nanguneri and transfer to any competent Court at Madurai.

For Petitioner : Mr.V.Muthukamatchi
For Respondent : Mr.R.Anand

O R D E R

This Criminal Original Petition has been filed to transfer the domestic violence complaint filed by the respondent in D.V.O.P.No.9 of 2017, on the file of the Principal District Munsif Cum Judicial Magistrate Court, Nanguneri to another competent Court at Madurai District.

2. The petitioner filed a divorce petition in H.M.O.P.No.2364 of 2017. The respondent filed a transfer petition before this Court in Tr.C.M.P.No.720 of 2018 and by an order dated 30.01.2019, this Court transferred the case to the file of the Family Court, Madurai. The relevant portion of the order reads as follows:

" 2. Today, when this petition is taken up for hearing, the learned counsel appearing for the petitioner as well as to the respondent are present. After filing the counter, the learned counsel appearing for the respondent and the petitioner made a representation before this Court that if the petition mentioned case is transferred to the file of Family Court, Madurai, it will be very convenient for



both the petitioner and the respondent in attending the Court proceedings at Madurai. In this regard, both the counsels made their endorsements in the petition.

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3. Accordingly, in view of the above submissions and endorsements made by the counsels appearing for the petitioner and the respondent, this petition is disposed of. The case in HMOP.No.2364 of 2017 is ordered to be withdrawn from the file of VII Additional Family Court, Chennai and to transfer the same to the file of Family Court, Madurai. The learned Judge of VII Additional Family Court, Chennai is directed to transmit the case records pertaining to HMOP.No.2364 of 2017 to Family Court, Madurai within a period of two weeks from the date of receipt of a copy of this order. On receipt of such records, the learned Judge, Family Court, Madurai is directed to dispose the said case as expeditiously as possible. Thus, the Transfer Civil Miscellaneous Petition is disposed of. No costs. Subsequently, connected miscellaneous petition is closed.''

3. It would be convenient for both the parties to attend the Court proceedings if it is at Madurai.

4. Therefore, the Domestic violence complaint in D.V.O.P.No.9 of 2017, is hereby withdrawn from the file of the learned Principal District Munsif Cum Judicial Magistrate Court, Nanguneri, and to transfer the same before the learned Judicial Magistrate No.2, Madurai. On receipt of the entire bundle, the learned Judicial Magistrate No.2, Madurai, shall complete the entire proceedings, within a period of six months from the date of receipt of receiving the bundle.

5. With the above directions, this Criminal Original Petition stands disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

vsd



To

1.The Principal District Munsif Cum
Judicial Magistrate Court, Nanguneri.

2.The Judicial Magistrate No.2, Madurai.

Copy to:

The Section Officer, (2 Copies)
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.V.MUTHUKAMATCHI, Advocate (SR-92715[F] dated
18/10/2019)

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JMN(06.11.2019) 3P : 6C