



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P. (MD) No.17548 of 2017

D.Rekha

... Petitioner

-vs-

G.Senthilkumar

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to withdraw the transfer the M.C.No.299/2014 on the file of the learned Judicial Magistrate, No.III, Tiruchirappalli to be tried along with HMOP No.357 of 2017 before the Family Court, Salem.

For Petitioner : Mr.A.Selvakumar

For Respondent : No appearance

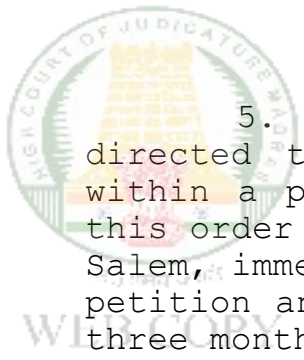
O R D E R

This petition has been filed seeking for transfer of the proceedings pending in M.C.No.299/2014 on the file of the Judicial Magistrate, No.III, Trichy to be tried along with HMOP No.357/2017 before the family Court, Salem.

2. The petitioner is the wife and she has filed a petition seeking for maintenance from the respondent. The respondent has filed a HMOP seeking for divorce against the petitioner. This petition was filed initially before the family Court, Trichy and the same was subsequently transferred to the family Court, Salem by virtue of an order passed by this Court. Therefore, the petitioner wants the maintenance proceedings also to be transferred to the file of the Family Court, Salem.

3. Heard the learned counsel for the petitioner. The name of the respondent has been printed in the cause list and there is no appearance for the respondent.

4. Taking into consideration the facts and circumstances of the case and also the fact that the petitioner has to take care of a small child and the related divorce proceedings has already been transferred to the file of the family Court, Salem, this Court is inclined to transfer the maintenance proceedings.



5. The learned Judicial Magistrate, No.III, Trichy is directed to transfer the entire case records in M.C.No.299/2014 within a period of two weeks from the date of receipt of copy of this order to the file of the Family Court, Salem. The family Court, Salem, immediately on receipt of the case records shall renumber the petition and thereafter complete the proceedings within a period of three months thereafter.

6. This criminal original petition is disposed of with the above directions.

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar(CS)

RR

To

1.The Judicial Magistrate, No.III,
Tiruchirappalli

2.The Family Court
Salem.

+1 CC to M/s.R.ARAVIND RAJ, Advocate SR-88600.

Cr1.O.P. (MD) No.17548 of 2017
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CS (30.10.2019) 2P 4C