



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.09.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD).No.17626 of 2017

and

Crl.M.P.(MD) Nos.11543 & 11544 of 2017

1) Kirubakar Ramalingam

2) R.Sivaram Yadav

3) S.Seetha

... Petitioners

Vs.

P.L.Saranya

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to withdraw the petition in Cr.M.P.No.3702/2017 on the file of the Judicial Magistrate, Additional Mahila Court, Madurai and to transfer the same to the Judicial Magistrate, Tambaram.

For Petitioners : Mr.I.Robert Chandrakumar

For Respondent : Mr.K.Baala Sundharam

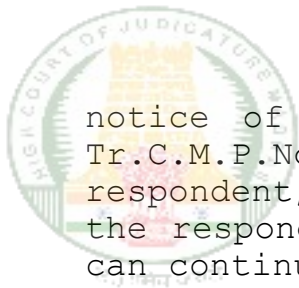
O R D E R

This Criminal Original Petition has been filed seeking for the transfer of the proceedings pending in Cr.M.P.No.3702/2017 on the file of the Judicial Magistrate, Additional Mahila Court, Madurai.

2. The respondent has initiated proceedings against the petitioners under the Domestic Violence Act and the same is pending on the file of the Judicial Magistrate, Additional Mahila Court, Madurai.

3. This transfer petition has been filed mainly on the ground that both the first petitioner and the respondent are working in IT Companies at Chennai and therefore, it will be more convenient for the parties to prosecute the case at Chennai.

4. The learned counsel for the petitioners brought to the



notice of this Court the earlier order passed by this Court in Tr.C.M.P.No.400/2019 wherein, on a transfer petition filed by the respondent, this Court dismissed the petition on the ground that the respondent is working in Chennai and therefore, the proceedings can continue in Chennai.

WEB COPY

5. The reasons given by the Court in Tr.C.M.P.No.400/2019 will equally apply to the facts of the present case also. It is more convenient for the parties to prosecute the case at Chennai since both the first petitioner and respondent are working in IT companies at Chennai.

6. In view of the above, the proceedings in Cr.M.P. No.3702/2017 on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai is withdrawn and transferred to the learned Judicial Magistrate, Tambaram. The learned Judicial Magistrate, Additional Mahila Court, Madurai shall transfer the entire case papers to the Judicial Magistrate, Tambaram within a period of two(02) weeks from the date of receipt of a copy of this order. The learned Judicial Magistrate, Tambaram immediately on receipt of the case papers, shall renumber the petition and shall complete the proceedings within a period of three(03) months thereafter. The parties shall be represented by a counsel before the Court below and they shall appear before the concerned Court as and when required during the important dates of hearing.

7. With these directions, this Criminal Original Petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar(CS)

sts

To

- 1) The Judicial Magistrate,
Additional Mahila Court, Madurai
- 2) The Judicial Magistrate,
Tambaram.
- 3) The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.I.ROBERT CHANDRAKUMAR, Advocate (SR-89744[F] dated 26/09/2019)

Crl.O.P. (MD) .No.17626 of 2017

_KK/SAR/22.10.2019/2P-5C/

<https://hcservices.ecourts.gov.in/hcservices/>