



WEB COPY

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.17735 of 2017

Crl.M.P.Nos.11583 & 11584 of 2017

1.Krishnamurthy

2.S.Thirumalai Nambi

3.N.Saroja

... Petitioners

-vs-

Padmavathy

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to transfer the case in DVC No.8/2017 pending on the file of Judicial Magistrate, at Tiruchendur to XVII Metropolitan Magistrate at Saidapet, Chennai.

For Petitioners : Mr.A.Anandaraj
For Respondent : Mr.S.Mahalingam

O R D E R

This petition has been filed seeking for transfer of the proceedings pending in DVC No.8/2017 on the file of the Judicial Magistrate, Tiruchendur.

2. The respondent has initiated domestic violence proceedings against the petitioners.

3. This transfer petition is filed mainly on the ground that the parents of the first petitioner will not be able to travel to Tiruchendur from Chennai during every hearing date and the petition itself has been filed only to harass the parties. That apart, there is also a divorce proceedings pending in OP No.2743/2017 before the III Additional Family Court, at Chennai.

4. The ground raised by the petitioners does not satisfy this Court to transfer the proceedings at this stage. Second and third petitioners can always be represented by a counsel and it is not necessary for them to appear before the Court below for every hearing. If that is taken care, there is no reason as to why the proceedings cannot continue before the same Court.



5. In the result, this criminal original petition is dismissed and the presence of the second and third petitioners is dispensed with and they shall be represented by a counsel. The Court below shall complete the proceedings in D.V.C.No.8/2017 within a period of three months from the date of receipt of copy of this order. Consequently connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

RR

To

The Judicial Magistrate, at Tiruchendur

Cr1.O.P. (MD) No.17735 of 2017

20.09.2019

SCR(CO)

TR(14.10.2019) 2P 2C