



Crl.O.P. (MD) Nos.4952 and 12259 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2019

CORAM

THE HONOURABLE Mr.JUSTICE **N.ANAND VENKATESH**

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Crl.O.P. (MD) Nos.4952 and 12259 of 2017

and

Crl.M.P. (MD) .Nos.3503, 3504, 8491 and 10971 of 2017

Rajammal ... Petitioner in Crl.O.P. (MD) No.4952 of 2017
C.Christopher Jobi ... Petitioner in Crl.O.P. (MD) No.12259 of 2017
Vs.

T.Usha @ Ushadevi ... Respondent in both cases

PRAYER in Crl.O.P. (MD) No.4952 of 2017: Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to D.V.O.P.No.3 of 2017 pending on the file of the Judicial Magistrate Court No.III, Nagercoil and quash the same as far as the petitioner is concerned.

PRAYER in Crl.O.P. (MD) No.12259 of 2017: Petition filed under Section 482 of the Code of Criminal Procedure, to withdraw the case pending in D.V.O.P.No.3 of 2017 on the file of the Judicial Magistrate Court No.III, Nagercoil and to transfer it to the Court of any Judicial Magistrate at Tirunelveli for adjudication.

For Petitioners : Mr.L.Shaji Chellan
For Respondent : Mr.T.Arul
(In both cases)

COMMON ORDER

The Criminal Original Petition in Crl.O.P. (MD) No.4952 of 2017 has been filed seeking to quash the case in D.V.O.P.No.3 of 2017 pending on the file of the Judicial Magistrate Court No.III, Nagercoil.

2.The Criminal Original Petition in Crl.O.P. (MD) No.12259 of 2017 has been filed to withdraw the case in D.V.O.P.No.3 of 2017 pending on the file of the Judicial Magistrate Court No.III, Nagercoil and to transfer the same to any of the Judicial Magistrate Court at Tirunelveli.

3.It is brought to the notice of this Court that the marriage itself has been dissolved, based on the petition filed by the

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Cr1.O.P. (MD) Nos.4952 and 12259 of 2017

respondent in H.M.O.P.No.112 of 2018, by judgment and decree, dated 20.04.2018. It is submitted that this judgment has become final.

4.In view of the above development, no useful purpose will be served in keeping D.V.O.P.No.3 of 2017 pending before the Judicial Magistrate Court No.III, Nagercoil.

5.In the result, the proceedings in D.V.O.P.No.3 of 2017 is hereby quashed. Accordingly, both the petitions are allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar (CS)

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To

1.The Judicial Magistrate No.III, Nagercoil.

2.The Judicial Magistrate
Tirunelveli

Cr1.O.P. (MD) Nos.4952 and 12259 of 2017
08.11.2019

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