

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.7084 of 2019

and

CrI.M.P.No.3902 of 2019

G.Palani

... Petitioner

Vs.

V.Bhavani

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. Praying, to withdraw the D.V.C.1 of 2018 on the file of the Additional Mahila Court, Chengalpattu and transfer the same to the Family Court, Chennai.

For Petitioner : Mr.K.S.Karthik Raja

For Respondent : Mr.R.Vivekanandan

O R D E R

This Petition has been filed to withdraw D.V.C.1 of 2018 on the file of the Additional Mahila Court, Chengalpattu and to transfer the same to the file of the Family Court, Chennai.

2. The learned counsel for the petitioner would submit that the petitioner's father is aged and he has to take treatment in Chennai. Therefore for each and every hearings he could not be able to present before the Court in both the cases. Therefore, he sought for transfer of investigation to the Family Court, Chennai.

3. The learned counsel for the respondent would submit that FCMC No.34/2017 on the file of the Family Court, Chennai has already been disposed by the Trial Court. Insofar as the Domestic Violence case is concerned, it is pending on the file of the Additional Mahila Court, Chengalpattu.

4. Heard Mr.K.S.Karthik Raja, learned counsel for the petitioner and Mr.R.Vivekanandan, learned counsel for the respondent.

5. All are having aged parents and they have to take treatment for their age and illness. Further, Chengalpattu to Chennai is not far away distance for the petitioner. Therefore, the grounds raised by the petitioner cannot be considered for transfer of the case.

6. This Court has already directed the trial Court to dispose D.V.C.No.1 of 2018 in CrI.O.P.No.16906 of 2018. Therefore, the trial Court is directed to comply with the earlier order passed by this Court.

7. Hence, this Criminal Original Petition is devoid of merits. Accordingly, this Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

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To

1.The Additional Mahila Court,
Chengalpattu

2.The Family Court, Chennai.

CRL.O.P.No.7084 of 2019

VSN II(CO)
CB(10/11/2020)

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