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Criminal Original Petition No.4985 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Criminal Original Petition No.4985 of 2024

and

Crl.M.P.No.3612 of 2024

Dr.M.Rajkumar
S/o.Muthusami

... Petitioner

VS.

Chandrika
D/o.Chandrasekar

... Respondent

PRAYER: Criminal Original Petition filed under Section 407 of the Code of Criminal Procedure praying to withdraw the M.C.No.249 of 2023 on the file of Family Court, Coimbatore and transfer the same to any other competent Court in Tambaram.

For Petitioner : Mr.P.Karthikeyan



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ORDER

This criminal original petition has been filed seeking for transfer of the case in M.C.No.249 of 2023 on the file of Family Court, Coimbatore to any other competent Court in Tambaram.

2. Heard Mr.P.Karthikeyan, learned counsel for petitioner and carefully perused the materials available on record.

3. The petitioner is seeking for transfer mainly on the ground that the petitioner is a differently abled person and already H.M.O.P.No.373 of 2023 filed by the petitioner seeking restitution of conjugal rights is pending before the Sub-Court, Tambaram. The ground that has been raised by the petitioner seeking for transfer is not convincing. Just because the petitioner has filed a petition seeking restitution of conjugal rights, that does not mean that the wife has to all the way come to Tambaram and contest the proceedings in M.C.No.249 of 2023. However, taking into consideration the fact that the petitioner is a differently abled person, the petitioner is permitted to be represented



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through a counsel and the petitioner shall be present before the Court below as and when required.

This Criminal Original Petition is disposed of with the above direction. Consequently, connected miscellaneous petition is closed.

01.03.2024

Index : Yes/No
Neutral Citation : Yes/No
Speaking Order/Non-Speaking Order
gm

To

The Family Court, Coimbatore.



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N. ANAND VENKATESH, J

gm

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