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Tr.CMP No.1139 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2024

CORAM:

THE HONOURABLE Mr. JUSTICE V.LAKSHMI NARAYANAN

Tr.CMP No.1139 of 2024

B.Saranya

... Petitioner

Vs

1.J.Rangarajan
2.R.Janakiraman
3.Lakshmidevi

... Respondents

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure to withdraw Domestic Violence Case No.7 of 2021 pending on the file of Judicial Magistrate, Additional Mahila Court, Cuddalore and transfer the same to the Family Court, Cuddalore to enable joint/simultaneous trial with HMOP No.218 of 2022, pending on the file of Family Court, Cuddalore.

For Petitioner : Ms.J.Pooja
for Mr.D.Baskar

ORDER

The petitioner seeks for transfer of Domestic Violence Case No.7 of 2021 from the Additional Mahila Court, Cuddalore for simultaneous trial with HMOP No.218 of 2022 on the file of Family Court at Cuddalore.



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V.LAKSHMINARAYANAN,J.,

sr

2. A Full Bench of this Court in the case of *Arul Daniel vs Suganya* reported in **2022 SCC Online 5435** has held that it is only the Judicial Magistrate Court which is empowered to deal with the applications filed under Domestic Violence Act. The Full Bench has further held that the Family Court does not have the jurisdiction to deal with Domestic Violence Application.

3. In the light of the clear and categorical verdict of the Full Bench of this Court, this Transfer C.M.P No.1139 of 2024 is dismissed. No costs.

08.11.2024

Index:Yes/No

Speaking order/Non-speaking order

sr

To

1. The Additional Mahila Court, Cuddalore
2. The Family Court, Cuddalore

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