



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **20.06.2025**

CORAM

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THE HONOURABLE MR JUSTICE P.B. BALAJI

TR CMP. No.110 of 2025

and CMP. No.2227 of 2025

1.N.Pandurangan

2.V.Navaneethan

3.V.Annapoorni

Petitioner(s)

Vs

P.Akilesh Ragavi

Respondent(s)

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw the D.V.C. No.189 of 2024 on the file Special Court for Trial of Domestic Violence Act cases, Coimbatore and to transfer the same to Judicial Magistrate Court, Palani.

For Petitioners : Mr.V.Pavel

For Respondent : No Appearance

ORDER

This Transfer Civil Miscellaneous Petition is filed to transfer the D.V.C. No.189 of 2024 from the file Special Court for Trial of Domestic Violence Act cases, Coimbatore to Judicial Magistrate Court, Palani.



2. Heard learned counsel for the petitioner. Despite the respondent has been served through private notice on 08.03.2025, he has not chosen to appear either in person or through Counsel. The respondent has called set exparte.

3. The learned counsel for the petitioners submitted that the petitioners are the husband and in laws of the respondent, against whom the respondent has initiated domestic violence proceedings in D.V.C. No.189 of 2024 before the Special Court for Trial of Domestic Violence Act Cases, Coimbatore. The specific case of the petitioners is that the respondent/wife had initially lodged a domestic violence complaint against all family members of the petitioners and thereafter, the proceedings were dropped in respect of other relatives excepting the petitioners who are the husband and in laws of the respondent.

4. The learned counsel for the petitioners further states that the parents/petitioners 2 and 3 are aged and they are finding it difficult for travelling more than 300 kms to attend the proceedings before the Trial Court at Coimbatore. They have also specifically narrated about the incident where the respondent and respondent's brother have physically attacked and abused the petitioners and in this regard, a complaint has



also been lodged and pending in C.C. No.603 of 2023 before the learned Judicial Magistrate at Theni and also stated that the first petitioner has filed HMOP. No.363 of 2024 for restitution of conjugal rights which is pending before the Family Court at Theni.

5. The respondent has not chosen to contest the transfer request. The petitioners have also specifically stated that the respondent has also initiated domestic violence case against the petitioners but despite the same, the respondent harassing the petitioners. Hence, the petitioners have come forward with the transfer Application.

6. The learned counsel for the petitioners would take me through the typedset of papers to evidence the complaint lodged against the respondent and her brother and also severe injuries suffered by the petitioners, in respect of which a criminal case is also pending. The petitioners apprehend fear and threat to their safety, if they are forced to attend the proceedings before the Special Court for Trial of Domestic Violence Act cases, Coimbatore. Prima facie case is find out for transfer as prayed for.



P.B.BALAJI.J.,

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7. In fine, this Transfer Miscellaneous Petition is allowed. D.V. C.

No.189 of 2024 on the file of the Special Court for Trial of Domestic Violence Act Cases, Coimbatore is hereby withdrawn and transferred the same to the file of the learned Judicial Magistrate, Additional Mahila Court, Theni. Consequently, connected Miscellaneous Petition is closed.

No costs.

20.06.2025

Speaking/Non-speaking : Yes/No

Index : Yes / No

rkp

To

1.The Special Court for Trial of Domestic

Violence Act cases, Coimbatore.

2.The Judicial Magistrate, Additional Mahila Court, Theni.

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