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CrI.O.P.No. 5774 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.O.P.No. 5774 of 2024

and

CrI.M.P.No.4207 of 2024

S.Priya

.... Petitioner

Vs

M.Franklin

.... Respondent

PRAYER: Criminal Original Petition is filed under Section 407 of Code of Criminal Procedure, to withdraw the petition in M.C.No.165 of 2023 from the file of the Family Court, Coimbatore and to transfer the same to the Family Court, Tiruppur.

For Petitioner : Mr.S.Valarmathi

For Respondent : No appearance

ORDER

This Criminal Original Petition has been filed seeking transfer of the maintenance case in M.C.No.165 of 2023 from the file of the Family Court, Coimbatore to the file of the Family Court, Tiruppur.



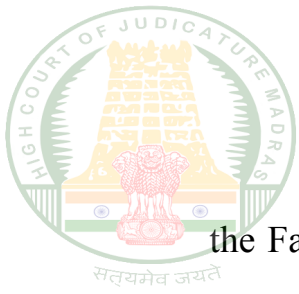
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2. Heard the learned counsel for the petitioner and perused the materials available on record. Though notice has been served on the respondent, none appeared on behalf of the respondent either in person or through pleader.

3. The petitioner is the wife of the respondent. They got married on 26.04.2021 and gave birth to the female child. Due to misunderstandings, they got separated and as such the petitioner could not able to maintain herself. Therefore, she filed a maintenance case in M.C.No.165 of 2023 before the Family Court, Coimbatore. Now, the petitioner is residing within the jurisdiction of Tiruppur District. That apart, the petitioner also filed a petition for restitution of conjugal rights in IDOP No.1257 of 2023 and it is pending on the file of the Family Court, Tiruppur. The respondent also filed a petition for divorce in IDOP No.1388 of 2023 before the Family Court, Coimbatore and subsequently, it was transferred to the file of the Family Court, Tiruppur. Both the IDOPs are pending on the file of the Family Court, Tiruppur.

4. In view of the above, the maintenance case filed by the petitioner in M.C.No.165 of 2023 is hereby withdrawn from the file of



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the Family Court, Coimbatore and transferred the same to the file of the Family Court Tiruppur. Accordingly, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

05.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
Lpp

To

1. The Family Court,
Coimbatore.

2. The Family Court,
Tiruppur.



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G.K.ILANTHIRAIYAN, J.

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