



CrI.O.P.No.11070 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

CRL.O.P.No.11070 of 2023

and

CrI.M.P.No.6965 of 2023

Rajkannan

....

Petitioner

Vs

B.S.Shindhuja

....

Respondent

Prayer: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to withdraw the case in MC. No. 11 of 2022 on the file of the Additional Mahila Court Judge, Tiruvannamalai and to transfer to any other court or jurisdiction as per the directions of this Hon'ble Court.

For Petitioner : Mr.M.Rajavelu

For Respondent : Mr.G.Mohan

ORDER

This Criminal Original Petition has been filed seeking the transfer of the trial in M.C.No.11 of 2022 from the file of the Judicial Magistrate, Additional Mahila Court, Tiruvannamalai to any other Court.

2. The petitioner is the husband and the respondent is the wife.



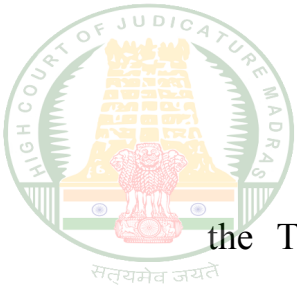
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They got married, but due to misunderstandings, they got separated.

Therefore, the respondent could not maintain herself and filed a petition seeking maintenance in M.C.No.11 of 2022 before the Judicial Magistrate, Additional Mahila Court, Tiruvannamalai. The respondent has already filed a petition for divorce in FCOP No.131 of 2022 before the Family Court, Tiruvannamalai.

3. In fact, the petitioner had filed a petition in Tr.CMP No.351 of 2023 before this Court, seeking transfer of the trial in FCOP No.131 of 2022 from the file of the Family Court, Tiruvannamalai to any other Family Court in Chennai. This Court, by an order dated 18.10.2024, dismissed the petition. In fact, in that petition, the petitioner had made allegations as against the Judicial Officer. Now, the petitioner has filed a petition for transfer of the maintenance case filed by the respondent, making allegations as against the counsel and also the Judicial Officer.

3. In view of the above, this Court finds no reason to transfer the maintenance case filed by the respondent herein from the file of the Judicial Magistrate, Additional Mahila Court, Tiruvannamalai. Accordingly, this Criminal Original Petition stands dismissed. However,



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the Trial Court is directed to dispose of the maintenance case in

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M.C.No.11 of 2022 within a period of three months from the date of

receipt of a copy of this order.

03.02.2025

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Index: Yes/No

Internet: Yes/No

To

The Judicial Magistrate,
Additional Mahila Court,
Tiruvannamalai.

G.K.ILANTHIRAIYAN,J.

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