



CrI.O.P.No.19959 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2025

CORAM

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

CRL.O.P.No.19959 of 2023
and CrI.M.P.No.13594 of 2023

R.Arun Petitioner

Vs

1. R.Hema
2. A.Sahana
(Minor represented by
mother R.Hema) Respondents

Prayer: Criminal Original Petition is filed under Section 407 of Code of Criminal Procedure to withdraw and Transfer M.C.No. 2 of 2023, pending on the file of the District Munsif Cum Judicial Magistrate Court at Thirukazhukundran to any of the Family Courts, Chennai.

For Petitioner : Ms.R.Sumithra Chakkaravarthi
For Respondents : Mr.P.G.Santhosh Kumar

ORDER

This Criminal Original Petition has been filed for transfer of trial in M.C.No.2 of 2023 from the file of the District Munsif cum Judicial Magistrate, Thirukazhukundram to any of the Family Court at Chennai.



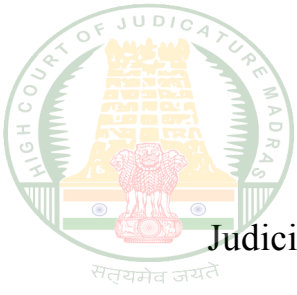
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2. Heard the learned counsel appearing on either side and

perused the materials available on record.

3. The petitioner is the husband and the first respondent is the wife. They got married and gave birth to the second respondent herein. Due to misunderstandings, they got separated. Thereafter, the first respondent could not able to maintain herself and as such, the respondents filed a petition in M.C.No.2 of 2023 on the file of the District Munsif cum Judicial Magistrate, Thirukazhukundram, seeking maintenance. Now, the petitioner sought for transfer of the entire trial from the file of the District Munsif cum Judicial Magistrate, Thirukazhukundram to any of the Family Courts at Chennai. The respondents are residing within the jurisdiction of the Thirukazhukundam. The petitioner is residing at Pallikarani, Chennai which is not far from Thirukazhukundram and it is not difficult for him to attend the Court proceedings. That apart, the first respondent is living with the second respondent, their minor daughter.

4. In view of the above, this Court is not inclined to transfer the trial in M.C.No.2 of 2023 on the file of the District Munsif cum



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Judicial Magistrate, Thirukazhukundram to any other Family Courts,

Chennai. Accordingly, this Criminal Original Petition stands dismissed.

However, the District Munsif cum Judicial Magistrate, Thirukazhukundram, is directed to complete the trial within a period of six months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

04.02.2025

Lpp

Index: Yes/No

Internet: Yes/No

To

The District Munsif Cum Judicial Magistrate Court,
Thirukazhukundran.



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G.K.ILANTHIRAIYAN,J.

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