



Crl.O.P.No.22670 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 25.08.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

Crl.O.P.No.22670 of 2025
and Crl.M.P.No.15501 of 2025

M.S.Balamurugan

... Petitioner

Versus

1.S.Valarmathi

2.M.S.Bharath Kumar

... Respondents

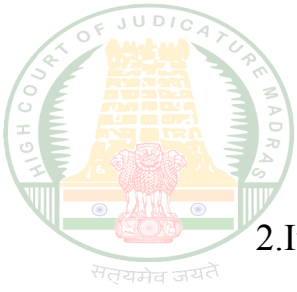
PRAYER: Criminal Original Petition filed under Section 447 of Bharatiya Nagarik Suraksha Sanhita, to order withdrawal of MC.No.28 of 2025 now pending on the file of the learned Additional Mahila Court (Judicial Magistrate Level) Alandur and transfer the same to the file of the learned Judicial Magistrate, Neyveli to be disposed of on merits.

For Petitioner : Mr.R.Ganesh Babu

For Respondents : Mr.G.Raja Ganapathy for R1
Ms.K.Lakshmi Priya for R2

ORDER

This petition has been filed to order withdrawal of MC.No.28 of 2025 now pending on the file of the learned Additional Mahila Court (Judicial Magistrate Level) Alandur and transfer the same to the file of the learned Judicial Magistrate, Neyveli to be disposed of on merits.



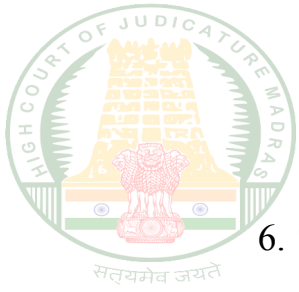
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2. It is an unfortunate case where mother seeks maintenance from his two grown up children. The trial Court taken note of the petitioner and ordered maintenance of Rs.5,000/- each payable by the two sons vide order dated 04.08.2025. At this stage, this application has been filed for transfer maintenance application to Neyveli since mother is a native of the Cuddalore.

3. The learned counsel for the petitioner submitted that the mother is permanently residing at Neyveli, therefore, only the Courts at Neyveli has jurisdiction to entertain the application for maintenance.

4. Heard both sides and perused the materials placed on record .

5. At the outset, this Court is of the view that this application is nothing but abuse of process of law. As per Section 145 of BNSS, application for maintenance may be taken up against any person where he resides. Admittedly, both the sons are residing within the jurisdiction of the Alandur Court.



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6. Such view of the matter, I do not find any merits in this petition and this petition stands dismissed. Consequently, connected miscellaneous petition stands closed. The Trial Court shall dispose the application within the period of four months from the date of receipt of a copy of this Order.

25.08.2025

dhk

Index : Yes
Internet : Yes

To

The Additional Mahila Court (Judicial Magistrate Level) Alandur



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N.SATHISH KUMAR, J.

dhk

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