



Crl.O.P.No. 26605 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2025

CORAM:

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

Crl.O.P.No.26605 of 2023

Sai Visalakshi

... Petitioner

Vs.

R.M.Muthu Annamalai

... Respondent

PRAYER: Criminal Original Petition is filed under Section 407 of the Cr.P.C to order withdrawal of the M.C.No.6 of 2023 on the file of Additional Mahila Court, Alandur and transfer the same to the file of District Munsif-cum-Judicial Magistrate, Neyveli.

For Petitioner : Mr.V.Rajesh Babu

For Respondent : No appearance.

ORDER

This Criminal Original Petition has been seeking transfer of maintenance case filed by the petitioner in M.C.No.6 of 2023 from the file of Additional Mahila Court, Alandur to the file of District Munsif-cum-Judicial Magistrate, Neyveli.



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2. The learned counsel for the petitioner would submit that the petitioner is the wife of the respondent. They were married on 01.09.2019 and due to misunderstandings, they became separated and began living apart. As a result, the petitioner was unable to maintain herself and filed a petition for maintenance in M.C. No. 6 of 2023 before the Additional Mahila Court, Alandur, while she was residing within the jurisdiction of the Trial Court. Subsequently, the petitioner shifted her residence to her parents' house at Neyveli Township, Kunrinjipadi Taluk, Cuddalore District. That apart, the petitioner has already filed a case in D.V.C. No. 5 of 2021 before the District Munsif-cum-Judicial Magistrate Court, Neyveli, which is currently pending trial. The respondent, on the other hand, is residing in Pudukottai District and has been regularly appearing before the District Munsif-cum-Judicial Magistrate Court, Neyveli, instead of the Additional Mahila Court, Alandur. Therefore, the petitioner prays for the transfer of the case in M.C. No. 6 of 2023 from the file of the Additional Mahila Court, Alandur to the file of the District Munsif-cum-Judicial Magistrate Court, Neyveli.



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3. Though notice was served on the respondent, neither the respondent nor his counsel appeared in person or through video conferencing.

4. In view of the fact that no impediment or prejudice would be caused to the respondent by transferring the maintenance case filed by the petitioner, the case in M.C. No. 6 of 2023 is hereby withdrawn from the Additional Mahila Court, Alandur and transferred to the District Munsif-cum-Judicial Magistrate Court, Neyveli.

5. With the above direction, this Criminal Original Petition is allowed.

03.02.2025

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



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G.K.ILANTHIRAIYAN, J.

shk

To

1. Additional Mahila Court, Alandur,
2. District Munsif-cum-Judicial Magistrate Court, Neyveli.
3. The Public Prosecutor,
High Court, Madras.

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