



Crl.O.P.No.2838 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2025

CORAM:

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

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Mohamed Thamimul Ansari

... Petitioner

Vs.

1. Rukshana Afrin
2. Mohamed Aadhi
Minor rep by the mother/
first respondent

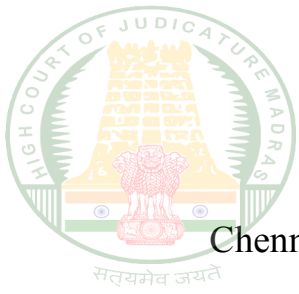
... Respondents

Prayer: Criminal Original petition filed under Section 407 of Code of Criminal Procedure, to withdraw and transfer M.C.No.310 of 2023 on the file of the learned Principal Judge, Family Court, Chennai, to the file of the learned V Additional Family Court, Chennai, for disposal in accordance with law.

For Petitioner : Mr.J.Saravanel
For Respondents : Mr.V.Balu

ORDER

This petition has been filed seeking transfer of maintenance case in M.C.No.310 of 2023 from the file of the learned Principal Judge, Family Court, Chennai, to the file of the V Additional Family Court,



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2. The petitioner is the husband and first respondent is the wife. They got married on 27.08.2017 and gave birth to the second respondent minor child. Due to misunderstanding between the petitioner and the first respondent, they got separated and living separately. Therefore, the respondents could not able to maintain herself and filed petition for maintenance in M.C.No.310 of 2023 on the file of the Principal Family Court, Chennai. The petitioner also filed guardian ship petition seeking custody of the second respondent in G.W.O.P.No.662 of 2022 before this Court and it is pending. The first respondent also filed suit in O.S.No.285 of 2022 on the file of the V Additional Family Court, Chennai, for declaration of validity of Khula and it is pending for adjudication. Therefore, the petitioner, who is being respondent in that suit, filed this petition seeking transfer of maintenance case to the file of the V Additional Family Court, Chennai, in which the suit filed by the first respondent is pending in O.S.No.285 of 2022.

3. The learned counsel appearing for the petitioner submitted that it would be convenient for the respondents also if the maintenance



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case in M.C.No.310 of 2023 transferred to the V Additional Family Court, Chennai, from the file of the Principal Family Court, Chennai.

4. Considering the above facts, the maintenance case filed by the first respondent in M.C.No.310 of 2023, is hereby withdrawn from the file of the Principal Family Court, Chennai and transferred to the file of the V Additional Family Court, Chennai.

5. Accordingly, the Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

04.02.2025

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

rts

To

1. The Principal Family Court,
Chennai

2. The V Additional Family Court,
Chennai.



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G.K.ILANTHIRAIYAN. J.

rts

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