

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.9045 of 2015
and
M.P.Nos.1 & 2 of 2015

1.M/s.Eforia The Complete Solution
Rep. By its Authorised Signatory
V.S.Poovarasan,
300/2, Senthil Complex,
Coop. Colony, Kalaivani Nagar,
Mohanur Road,
Namakkal - 637 001.

2.V.S.Poovarasan

... Petitioners

Vs

1.K.R.Mani

2.P.Chockkalingam

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to transfer the case in C.C.No.15 of 2014 on the file of the learned Judicial Magistrate No.1, Mettur to the Court of competent Jurisdiction of the learned Judicial Magistrate at Salem.

For Petitioners : Mr.K.A.Ravindran

ORDER

Seeking to transfer the case in C.C.No.15 of 2014 on the file of the learned Judicial Magistrate No.1, Mettur, to the Court of competent Jurisdiction of the learned Judicial Magistrate at Salem, the petitioner has come up with this petition.

2. It is represented by the learned counsel for the petitioner that the learned Judicial Magistrate empowered does not have jurisdiction to try the case in view of the recent judgement of the Hon'ble Supreme Court in Sree Mahesh Stationaries and another v. Indiabulls Financial Services Limited (2014 (8) SCC 880).

3.In view of the above position, the petitioner is at liberty to file appropriate petition before the same Magistrate and bring to the knowledge of the Magistrate about the jurisdictional aspect and if the trial Court finds that it has got no jurisdiction, then, the trial Court shall follow the principles laid down by the Hon'ble Supreme Court in Sree Mahesh Stationaries and another v. Indiabulls Financial Services Limited (cited supra).

4.With the above observation, this Criminal Original Petition is closed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

jbm

To

1.The Judicial Magistrate No.1,
Mettur.

2.The Chief Judicial Magistrate,
Salem.

+lcc to Mr.K.A.Ravindran, Advocate, S.R.No.19522

Cr1.OP No.9045 of 2015
and
M.P.Nos.1 & 2 of 2015

GR(CO)
CA(16/04/2015)

सत्यमेव जयते

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