



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.11.2015

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Crl.O.P.(MD)Nos.20983 & 20984 of 2015

and

M.P.(MD)Nos.1&1 of 2015

R.Ramesh

... Petitioner in

Crl.O.P.(MD)No.20983/15

R.Velumani

... Petitioner in

Crl.O.P.(MD)No.20984/15

-Vs-

A.Pushparajan

... Respondent in

both Crl.O.Ps

PRAYER: Petition filed under Section 482 of the Code of Criminal Procedure, praying to transfer the Summary Trial Cases in S.T.C.Nos.706 and 707 of 2011 pending on the file of the learned Judicial Magistrate No.1, Trichy, to the file of any other competent Court at any other District.

For Petitioners : Mr.R.Mohamed Rajapudheen

COMMON ORDER

This petitioners have come forward with these applications, praying to transfer the Summary Trial Cases in S.T.C.Nos.706 and 707 of 2011, pending on the file of the learned Judicial Magistrate No.1, Trichy, to the file of any other competent Court at any other District.

2.Heard the learned counsel for the petitioners and perused the materials available on record.

3. Mr.R.Mohamed Rajapudheen, learned counsel appearing for the Petitioners submitted that the cases were posted on 15.10.2015 and the learned Judicial Magistrate No.1, Trichy, has pressurized the petitioners to settle the issue. He would further submit that the learned Magistrate posted the matter for next hearing date withing a short span of time in order to coerce the petitioners to settle the matter. Further, the learned Magistrate forced the petitioners to lose faith upon the integrity, which made the petitioners to take a decision to transfer the Summary Trial Cases in S.T.C.Nos.706 and 707 of 2011, pending on the file of the learned Judicial Magistrate No.1, Trichy, to the file of any other competent Court at any other District.



4. The case is one filed under Section 5 of the Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 38 of 2003 and therefore, the trial Court, in order to give a quietus to the matter and for compromise, might have suggested the parties to settle the issue. If the parties are not interested, the learned Magistrate may proceed with the matter. There is no substance in the allegation made by the petitioner against the Judicial Magistrate. Accordingly, the learned Judicial Magistrate No.1, Trichy, is directed to take Summary Trial Cases in S.T.C.Nos.706 and 707 of 2011 and proceed with the matter on day-to-day basis and the matter shall not be adjourned beyond two working days, at any point of time, and take a decision on merits.

5. With the above direction, this Criminal Original Petitions are disposed of. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

The Judicial Magistrate No.1, Trichy.

+2 CC TO MR.R.MOHAMED RAJAPUDHEEN, ADVOCATE IN SR NO. 64219, 64220

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and

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