



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Cr1.O.P.(MD)No. 6138 of 2014

V.Karunakaran

... Petitioner

Vs.

1. Thangapandian
2. Angala Eswari
3. Loganathan
4. Packialakshmi

... Respondents

PRAYER: Criminal Original Petition is filed under Section 407 of the Code of Criminal Procedure, praying to withdraw the case file of C.C.No.223 of 2013 from the Judicial Magistrate Court No.IV, Madurai and transferring the said case to any other Judicial Magistrate Court situated near Madurai District.

For Petitioner	: Mr.R.Murugappan
For Respondents	: No Appearance

ORDER

The petitioner is the defacto complainant in C.C.No.223 of 2013 on the file of the learned Judicial Magistrate No.IV, Madurai, gives a private complaint seeking transfer of the case on the ground that the first respondent is a practising lawyer before the learned Judicial Magistrate No.IV, Madurai, the present petition has been filed.

2. Heard the learned counsel appearing for the petitioner and perused the records.

3. Despite the fact that the vakalat has been filed there is no appearance for the petitioner. The only submission made by the learned counsel for the petitioner is that the first respondent being a lawyer, the petitioner facing a hostile situation and he is unable to conduct and prosecute the case.

4. The fact that the first petitioner is the lawyer is not in dispute. Therefore without going into merits of the case, this court is of the view that for rendering justice this case will



have to be transferred.

5. Accordingly, the learned Principal District Judge, Madurai is directed to transfer the case in C.C.No.223 of 2013 from the file of learned Judicial Magistrate, IV, Madurai to the learned Principal District Judge, Dindigul. The learned Principal District Judge, Dindigul is directed to take appropriate steps to post this case to any of the Judicial Magistrate Court, Dindigul.

6. Accordingly, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(T & P)

/True Copy/

Sub Assistant Registrar

To

1.The Principal District Judge,
Madurai

2.The Judicial Magistrate No.IV,
Madurai

3.The Principal District Judge,
Dindigul

+1cc to Mr.R.Murugappan, Advocate Sr.No.33578

pjl

AA/16.07.2015/2p-5c/

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