



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 17.04.2015
CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

WEB COPY

CRL.RC.(MD)No.57 of 2015
and
M.P.No.1 of 2015

C.Harris : Petitioner

Vs.

1.The Competent Authority,
Divisional Revenue Officer,
Kanyakumari District.

2.The State of Tamil Nadu,
Rep by the Inspector of Police,
EOW.II, Nagercoil, Kanyakumari District.

3.M/s.S.U.S.Bankers,
7/291, Meenakshipuram,
Nagercoil, Kanyakumari District.

4.Saroja Thirumal

5.T.S.Unni Sankar

6.Susipriya : Respondents

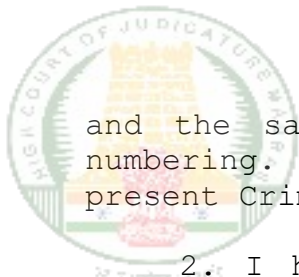
PRAYER: Petition is filed under Section 397 r/w 401 of the Code of Criminal Procedure, to call for the records relating to the impugned rejection order dated 05.09.2012, made in I.A.No.unnumbered of 2012 in C.C.Nos.23 to 35 of 2010, on the file of the Special Judge, Special Court under TANPID Act, Madurai, set aside the same insofar as the petitioner is concerned and allow this Criminal Revision Case and consequently to withdraw and to transfer the case before the Principal District Court, Kanyakumari District at Nagercoil.

For Petitioner : Mr.A.Rajkumar Sen

For Respondent Nos.1&2 : Mr.P.Kannithevan
Government Advocate [Criminal Side]

O R D E R

The petitioner filed E.P.No.37 of 2009 in O.S.No.74 of 2005 before the District Court, Nagercoil, which was transferred by the District Court to the file of the Special Court, under the Tamil Nadu Protection of Interest of Depositors [In Financial Establishment] Act, 1997, Madurai, [for brevity, "the Act"], to be included in C.C.No.32 of 2010. The petitioner, thereafter, filed a petition purportedly under Section 7 (5) of the Act, r/w Section 151 of the Code of Civil Procedure before the Special Court under the Act, requesting to transmit the records in E.P.No.37 of 2009 in O.S.No.74 of 2005 to the District Court, Nagercoil



and the said petition was rejected by the Lower Court, without even numbering. Challenging the same, the petitioner has come up with the present Criminal Revision Case.

2. I have heard the learned counsel appearing for the petitioner, the learned Government Advocate [Criminal Side] appearing for the respondents 1 and 2 and perused the records carefully.

3. When a specific query was made to the learned counsel appearing for the petitioner as to how the Special Court under the Act has got power to transfer the case to the file of the District Court, Kanyakumari District, at Nagercoil, the learned counsel for the petitioner has no answer. If the petitioner has got any grievance regarding the transfer of the said case, it is always open for him to challenge the said order in the manner known to law. Therefore, in my considered opinion, the Lower Court was right in rejecting the petition filed by the petitioner, which does not warrant any interference at the hands of this Court.

4. In the result, the Criminal Revision Case fails and the same is dismissed. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Writs)

\\True copy\\

Sub Assistant Registrar

To

1.The Special Judge, Special Court under TANPID Act, Madurai.

2.The Principal District Court, Kanyakumari District at Nagercoil.

3.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

4.The Competent Authority, Divisional Revenue Officer, Kanyakumari District.

5.The Inspector of Police,
EOW.II, Nagercoil, Kanyakumari District.

+1cc TO M/S.A.RAJKUMAR SEN, ADVOCATE SR.NO. 19523

ORDER MADE IN
CRL.RC.(MD)No.57 of 2015
DATED - 17.04.2015

NB

NA/27/04/2015/P2/7C