

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2017

CORAM

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

Crl.O.P No.23218 of 2010
and
M.P.Nos.1 and 2 of 2010

M/s.Sikkams Com, Private Limited,
Represented by its Managing Director,
L.S.Abdul Jaleel,
No.25, VGP Victory House,
No.17, Anna Salai, Chennai. Petitioner/Accused

vs.

Vengadesababu Respondent/Complainant

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to call for records in C.C.No.186 of 2010, on the file of the Judicial Magistrate-II, Karaikal and quash the same illegal.

For Petitioner : Mr.E.C.Ramesh
For Respondent : M/s.Jayasri Baskar

ORDER

This original petition has been filed to call for records in C.C.No.186 of 2010, on the file of the Judicial Magistrate-II, Karaikal and quash the same.

2.The learned counsel appearing for the petitioner submitted that as per the agreement dated 13.10.2009, the dispute between the parties arising out of this agreement lies in the jurisdiction at Chennai as per Clause-16 the dispute has to be dealt with jurisdiction at Chennai only, whereas the respondent/plaintiff has filed the private complaint before the learned Judicial Magistrate No.II, Karaikal in C.C.No.186 of 2010, and as per the agreement, the said Court has no jurisdiction and prays this Court the case may be transferred to any of the Courts in Chennai.

3.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.

4.This Court accepting the contention of the learned counsel for petitioner and as per the agreement entered into between the parties, this Court directs the learned Judicial Magistrate No.II, Karaikal, in C.C.No.186 of 2010 to transfer the case to the learned Chief Metropolitan Magistrate, Egmore, Chennai, within a period of 15 days from the date of receipt of a copy of this order. On receipt of the said case papers, the learned Chief Metropolitan Magistrate, Egmore, Chennai is directed to assign the case to the jurisdictional Court at Chennai within a period of one month thereafter.

5.With the above observations, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

vs

To

1. The Judicial Magistrate No.II,
Karaikal.

2. -do- Through The Chief Judicial Magistrate,
Pondicherry.

3. The Chief Metropolitan Magistrate, Egmore, Chennai-8.
(Now functioning at Allikulam complex, Park Town, Chennai-3)

+ 1 cc to Mr.K.V. Sridharan, Advocate SR.16751

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SKV(CO)
EU 4.4.17