



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.16204 of 2014

S.T.Ganesan

... Petitioner/Complainant

-Vs-

1.C.Santhanam
2.S.Senthil Arumugam
3.S.Palani Moopanar
4.S.Ganesan
5.E.Subbiah
6.S.Krishnan Iyyar
7.K.Ganapathi

... Respondent/Accused No.1 to 7

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to transfer the case in Cr.M.P.No.287 of 2014 pending before the learned Special Judicial Magistrate, Special Court for Land Grabbing cases, Tirunelveli to the learned Judicial Magistrate Court No.I, Tirunelveli or any other Competent Court within the Tirunelveli District within the time stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

ORDER

This Criminal Original Petition has been filed seeking transfer of the case from one Court to another Court within the same Sessions Division. As per the proviso attached to Section 407 (2) Cr.P.C, no application shall lie to the High Court for transferring a case from one Criminal Court to another Criminal Court in the same Sessions Division, unless an application for such transfer has been made to the Sessions Judge and rejected by him. In this case, it is not the case of the petitioner that he has already filed any transfer application before the Sessions Judge and the same was rejected.

2.It appears that the petitioner has directly approached this Court to transfer the case from the Special Judicial Magistrate, Special Court for Land Grabbing cases, Tirunelveli to some other Judicial Magistrate within the Tirunelveli Sessions Division.

<https://hcservices.ecourts.gov.in/hcservices/>

3.In view of the aforesaid provision, this petition is not



maintainable and is therefore liable to be dismissed.

4. In the result this Criminal Original Petition is dismissed.

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Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Special Judicial Magistrate,
Special Court for Land Grabbing cases,
Tirunelveli.

2. The Judicial Magistrate Court No.1,
Tirunelveli.

+ 1 CC TO Mr.M.KARUNANITHI, ADVOCATE IN SR No. 49137

+ 1 CC TO Mr.T.LAJAPATHI ROY, ADVOCATE IN SR No. 48795

CP

TE/KKR/SAR-3 : 14/03/2018 : 2P/5C

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