



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 30.10.2018
CORAM
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.(MD) No.5388 of 2017
and
Crl.M.P.(MD)No.3804 of 2017

P.Sherrill Sibuh

... Petitioner

Vs

D.Sumathy

... Respondent

PRAYER: Criminal Original Petitions filed under Section 482 of Cr.P.C, to withdraw M.C.No.89 of 2015 on the file of Family Court, Madurai to the file of the Chief Judicial Magistrate, Madurai.

For Petitioner : Mr.R.Ramasamy
For Respondent : Mr.A.Saravanan

ORDER

This petition has been filed seeking for transfer of the proceedings in M.C.No.89 of 2015 on the file of Family Court, Madurai to the file of the Chief Judicial Magistrate, Madurai.

2.The petition was filed on the ground of personal allegation made against the Judge, who was trying to the case. The learned counsel on either side would submit that the said Judge has already been transferred and the new Judge has taken charge of the concerned Court. Therefore, in the considered view of this Court the ground that has been raised by the petitioner is no more available. The learned counsel on either side also would submit that the connected petition in IDOP No.32 of 2015 is also pending before the same Court.

3.In the facts and circumstances of the case, the Family Court, Madurai is directed to complete the proceedings in M.C.No.89 of 2015 and IDOP.No.32 of 2015 within a period of three months from the date of receipt of a copy of this order.

4.This Criminal Original Petition is disposed of with the above direction. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(W)

/True Copy/



To

1.The Judge,
Family Court,
Madurai.

2.The Chief Judicial Magistrate,
Madurai.

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

+1CC to Mr.R.Ramasamy, Advocate, SR.No.93540

+1CC to Mr.A.Saravanan, Advocate, SR.No.93332

CRL.O.P. (MD) No.5388 of 2017
30.10.2018

MM

ES/BK/SAR 2/13.12.2018/2P/6C