



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.01.2018

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THE HONOURABLE MR.JUSTICE **P.RAJAMANICKAM**

CrI.O.P.(MD) No.13871 of 2013

Kamalam

...Petitioner/Accused

Vs.

Ramanathan

...Respondent/Complainant

PRAYER: Criminal Original petition filed under Section 407 of Code of Criminal Procedure, to transfer the case pending before the Judicial Magistrate, Kumbakonam in S.T.C.No.738 of 2007 to any other Court of Pudukkottai Town.

For Petitioner : Mr.K.Baalasundharam

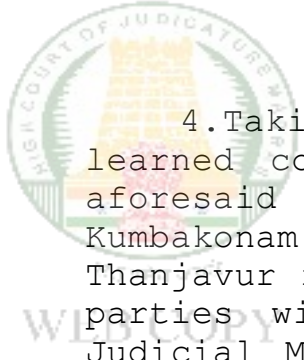
For Respondent : Mr.S.Deenadhayalan for
D.Ranmesh Kumar

O R D E R

This Criminal Original Petition has been filed by the accused to transfer the case pending before the Judicial Magistrate, Kumbakonam in S.T.C.No.738 of 2007 to any other Court of Pudukkottai Town.

2.The learned counsel for the petitioner submitted that the respondent herein has filed a complaint under Section 138 of Negotiable Instruments Act before the Judicial Magistrate, Kumbakonam. He further submitted that since the petitioner is a widow, aged about 65 years and a heart patient and one of her sons namely, Moorthy is a mentally retarded person, she is not able to travel from Pudukkottai to Kumbakonam to attend the trial and hence, she requested to transfer the case to any other Court at Pudukkottai Town.

3.The learned counsel appearing for the respondent / complainant on the other hand, has submitted that the respondent is also an aged person, about 64 years. He further submitted that the petitioner has not produced any material to substantiate her claim that she is a heart patient and her son is a mentally retarded person and hence, he opposed this petition.



4. Taking into consideration of the submissions made by the learned counsel on both sides, I am inclined to transfer the aforesaid case from the file of learned Judicial Magistrate, Kumbakonam to the learned Judicial Magistrate (Fast Track Court) Thanjavur for disposal in accordance with law and so that both the parties will not have any grievance in attending the learned Judicial Magistrate (Fast Track) Court, Thanjavur. Accordingly, the case in S.T.C.No.738 of 2007 is withdrawn from the file of the Judicial Magistrate, Kumbakonam and transferred to the Judicial Magistrate (Fast Track) Court, Thanjavur for disposal in accordance with law.

5. With the above directions, this Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Crl side)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Kumbakonam.
2. The Judicial Magistrate Court,
(Fast Track Court), Thanjavur.

+ 1 cc TO Mr.K.Baalasundharam , Advocate in SR No. 41413

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AE/KK/SAR2/01.02.2018/2P/4C

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