

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.03.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.6541 of 2019

Pavan Kumar Harlalka

.. Petitioner

1. Mr.Narendra Devkinandan Harlalka<sup>Vs</sup>

2. Mrs. Urmila Harlalka

3. Miss. Rashmi Harlalka

4. Mr. Rakesh Harlalka

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the transfer of complaint in un-numbered in C.C.No. of 2019 from the Special Court for Land Grabbing Cases, Periamet, Chennai to the Court of the learned V Metropolitan Magistrate, Egmore, Chennai and direct the said complaint to be proceeded with expeditiously.

For Petitioner : M/s.A.L.Ganthimathi

For Respondents : No Appearance

O R D E R

The prayer sought for in this petition is to direct the transfer of complaint in un-numbered in C.C.No. of 2019 from the Special Court for Land Grabbing Cases, Periamet, Chennai to the Court of the learned V Metropolitan Magistrate, Egmore, Chennai and direct the said complaint to be proceeded with expeditiously.

2. The learned counsel for the petitioner submitted that the petitioner has lodged a complaint with the police and since the jurisdictional police did not take appropriate action on the complaint in spite of cognizable offence having been made, petitioner was constrained to file a private complaint under Section 200 Cr.P.C before the learned V Metropolitan Magistrate, Egmore, Chennai on 21.02.2019.

3. He further submitted that the learned V Metropolitan Magistrate, Egmore, Chennai returned the complaint with an endorsement that the said court has no jurisdiction to entertain the complaint and directed to file the complaint before the Special Court for Land Grabbing Cases, Periamet, Chennai.

4. He further submitted that the offences which are made out in the complaint are all IPC offences and can be tried by the regular jurisdictional Magistrate Court.

5. Considering the facts and circumstance of the case, this Court is directed to transfer the unnumbered Calender Case on the file of the Special Court for Land Grabbing Cases, Periamet, Chennai to V Metropolitan Magistrate, Egmore, Chennai.

6. With the above direction, this Criminal Original Petition stands disposed of.

Sd/-  
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

dh/ssr

To

1. The Special Court for Land Grabbing Cases,  
Periamet, Chennai
2. The V<sup>th</sup> Metropolitan Magistrate,  
Egmore, Chennai
3. The Public Prosecutor,  
High Court, Madras.

+1cc to M/s.AL.Ganthimathi, Advocate SR.No.23278

Cr1.O.P.No.6541 of 2019

KAN(CO)  
GMY(14/03/2019)