

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.09.2019

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.26124 of 2019

Prabu

..

Petitioner

Vs.

G.Abina

...

Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the District and Sessions Court, Dharmapuri to take the Tr.O.P.Sr.No.5331 of 2019, on file, number the Transfer petition and decide the same in accordance with law.

For Petitioner : Mr.R.Prabakar

For Respondent : Mr.C.Iyyapparaj
Additional Public Prosecutor

ORDER

The issue as to whether the petition for transfer can be maintained could be raised either as a preliminary issue in the transfer original petition or as a main issue itself and returning the papers, on the ground of maintainability, even without numbering the transfer original petition, may not be proper.

2.Since the endorsement made for returning the papers in Tr.O.P.Sr.No.5331 of 2019 is under challenge, the present Criminal Original Petition is disposed of, even without notice to the respondent.

3.In the light of the above observations, the Registry of the learned District and Sessions Court, Dharmapuri is called upon to take the Tr.O.P.Sr.No.5331 of 2019 on file, if it is

otherwise in order, preferably within a period of one week from the date of receipt of copy of this order and dispose of the same as expeditiously as possible.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

jas/hvk

To

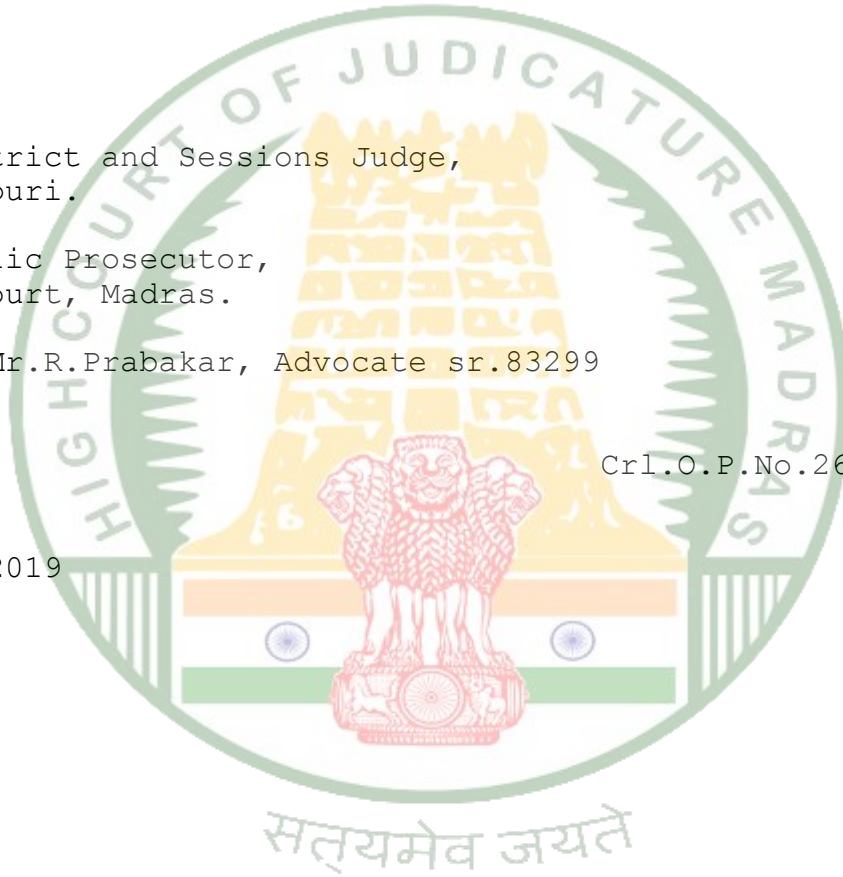
1.The District and Sessions Judge,
Dharmapuri.

2.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.R.Prabakar, Advocate sr.83299

Crl.O.P.No.26124 of 2019

mp(co)
nr 05/11/2019



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