



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Wednesday, the Twenty First day of September Two Thousand and
Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
TR CMP(MD). No.346 of 2022

P. Satish Kumar

... Petitioner/Respondent

Vs

Nivetha

... Respondent/Petitioner

Prayer :-

Transfer Civil Miscellaneous Appeal filed under Section 24 r/w 151 of Civil Procedure Code, to pass appropriate orders or direction to transfer the case in MC. No. 20 of 2020 on the file Learned Judicial Magistrate Court, Lalgudi, to any one of the Judicial Magistrate Courts in Trichy.

ORDER:- This Transfer Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.K.M.Subramaniam Advocate for the Petitioner this Court made the following order:

"This Transfer Civil Miscellaneous Petition, which was filed seeking transfer of the case in M.C.No.20 of 2020 from the Judicial Magistrate Court, Lalgudi to any other Judicial Magistrate Court in Trichy, was dismissed by this Court by order dated 17.08.2022.

2. It appears that this petition is filed under Section 24 C.P.C. seeking transfer of M.C.No.20 of 2020 from the Judicial Magistrate Court, Lalgudi to any other Judicial Magistrate Court in Trichy. As per Section 408 Cr.P.C., such petitions ought to have been filed before the learned Sessions Judge and not before this Court.

3. Therefore, this petition is listed today before this Court. The earlier order dated 17.08.2022 is recalled and this petition is dismissed as not maintainable. It is open to the petitioner to agitate his claim before the Sessions Court in the manner known to law, if so advised."

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/10/2022

Sub Assistant Registrar(CS)



TR CMP(MD)



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TO

WEB COPY

1. The Judicial Magistrate ,
Lalgudi.
2. The Judicial Magistrate ,
Trichy.

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 21/09/2022

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ORDER

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TR CMP(MD) . No.346 of 2022

Giving direction and etc.
as stated within.

AMS(20.10.2022) 2P 4C