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CrI.O.P.No.7464 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 06.04.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.CHANDRASEKHARAN**

CrI.O.P.No.7464 of 2023

P.Muthusaranya

...Petitioner

Vs.

1. V.Arshith

2. V.Vijiyantha

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to withdraw the DVC No.42 of 2021 on the file of the Judicial Magistrate I at Tambaram and transfer the same to the Metropolitan Magistrate, Egmore.

For Petitioner : Mr.K.Selva Ganapathy

ORDER

This Criminal Original Petition has been filed to withdraw the DVC No.42 of 2021 on the file of the learned Judicial Magistrate I at Tambaram and transfer the same to the learned Metropolitan Magistrate, Egmore.

2. It is the submission of the learned counsel for the petitioner that



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the petitioner filed a petition in Crl.O.P.No.28816 of 2022 for disposal of D.V.C.No.42 of 2021, within the stipulated time fixed by this Court. This Court, on 24.11.2022, directed the learned Judicial Magistrate-I, Tambaram to consider the petition filed by the petitioner in D.V.C.No.42 of 2021, within a period of three weeks from the date of receipt of a copy of the order. However, the case is not disposed.

3. Considered submission of the learned counsel for the petitioner and perused the records.

4. The above said order only directs the learned Judicial Magistrate-I, Tambaram to consider the petition filed by the petitioner in D.V.C.No.42 of 2021, within a period of three weeks. The status of the case in D.V.C.No.42 of 2021 pending on the file of the learned Judicial Magistrate-I, Tambaram is not known. The learned counsel for the petitioner has not produced any statistics with regard to the pendency of the case on the file of the learned Judicial Magistrate-I, Tambaram. Any how, this Court cannot transfer the



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case for the only reason that the case was not disposed within the time stipulated. The order in Crl.O.P.No.28816 of 2022 was passed on 24.11.2022. Therefore, the learned Judicial Magistrate-I, Tambaram is directed to dispose of the petition in D.V.C.No.42 of 2021, within a period of three weeks from the date of receipt of a copy of this order.

5. Accordingly, this Criminal Original Petition is disposed of.

06.04.2023

mn

Index: Yes/No

Speaking Order: Yes/No

G.CHANDRASEKHARAN.J.,



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mn

To

1. The Judicial Magistrate I, Tambaram.
2. The Metropolitan Magistrate, Egmore.
3. The Public Prosecutor,
High Court of Madras.

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06.04.2023