



CrI.O.P.(MD) No.17258 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

CrI.O.P.(MD) No.17258 of 2023

S.Parmeswari

... Petitioner

Vs

S.P.Balasubramanian

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records pertaining to the impugned order passed by the learned District Munsif cum Judicial Magistrate, Thiruppuvanam in CNR No. TNSV150021242023/2023 dated 12.06.2023 and set aside the same and consequently direct the learned District Munsif cum Judicial Magistrate, Thiruppuvanam to take cognizance of the complaint, dated 23.05.2023 filed by the petitioner.

For Petitioner : Mr. P.Murugan

For Respondent : Mr.PT.S.Narendravasan



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ORDER

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This petition has been filed to set aside the impugned order passed by the learned District Munsif cum Judicial Magistrate, Thiruppuvanam in CNR No. TNSV150021242023/2023, dated 12.06.2023 and to take cognizance of the complaint, dated 23.05.2023 filed by the petitioner.

2.The grievance of the petitioner is that the trial Court has rejected the complaint filed by the petitioner stating that it is not maintainable on the ground of territorial jurisdiction.

3.Without going into merits of the case, on the administrative side, the trial Court ought to have considered the complaint, on the judicial side and on the ground of maintainability, by affording opportunity to the petitioner.

4.In view of the above, the impugned order passed by the learned District Munsif cum Judicial Magistrate, Thiruppuvanam in CNR No. TNSV150021242023/2023, dated 12.06.2023 is hereby set aside. The



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original complaint filed by the petitioner, dated 23.05.2023 is restored to file and the trial Court is directed to proceed with the same in accordance with law.

5. With the above directions, this petition stands disposed of.

07.11.2023

NCC : Yes/No
Index : Yes / No
Internet: Yes/ No
PNM

To

1. The District Munsif cum Judicial Magistrate, Thiruppuvanam.



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G.ILANGOVAN, J.

PNM

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