



W.P(MD)No.1100 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.1100 of 2023

and

W.M.P.(MD)No.1013 of 2023

Seeniselvaraj

... Petitioner

Vs.

1.The Principal District and Sessions Judge,
Thoothukudi District,
Thoothukudi.

2.The Chief Judicial Magistrate,
Thoothukudi.

3.The Judicial Magistrate No.I,
Thoothukudi.

4.The Assistant Superintendent of Police,
Thoothukudi Rural Sub Division,
Thoothukudi District.

5.The Inspector of Police,
Thattaparai Police Station,
Thoothukudi District.
(Crime No.112 of 2021)

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to transfer the case in C.C.No.634 of 2022 on the file of the third respondent to the District Munsif cum Judicial Magistrate, Ottapidaram in pursuant to the Judicial Notification issued by the second respondent in his proceedings vide Na.Ka.12/38386/2021 dated 08.02.2022.

For Petitioner	: Mr.C.T.Perumal
For R1 to R3	: Mr.J.K.Jeya Selan Government Advocate (Civil Side)
For R4 & R5	: Mr.E.Antony Sahaya Prabahar Additional Public Prosecutor

ORDER

The writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the respondents 1 and 2 to transfer the case in C.C.No.634 of 2022 on the file of the third respondent to the District Munsif cum Judicial Magistrate, Ottapidaram in pursuant to the Judicial Notification issued by the second respondent in his proceedings vide Na.Ka.12/38386/2021 dated 08.02.2022.



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2. Mr.J.K.Jeya Selan, Government Advocate (Civil Side) takes notice for the respondents 1 to 3 and Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor takes notice for the respondents 4 and 5. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The learned counsel appearing for the writ petitioner would submit that though new Court District Munsif cum Judicial Magistrate, Ottapidaram was constituted, the case in C.C.No.634 of 2022 was not transferred but all the other cases pending on the file of the Judicial Magistrate No.1, Thoothukudi relating to the jurisdiction of Ottapidaram were transferred.

4. The learned Additional Public Prosecutor appearing for the respondents 4 and 5 would submit that the case in C.C.No.634 of 2022 was already disposed of on 08.12.2022.

5. Recording the submission made by the learned Additional Public Prosecutor, since the case itself has been disposed of, nothing survives for further adjudication. Hence, this Writ Petition stands



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dismissed as infructuous. No costs. Consequently, connected

Miscellaneous Petition is closed.

20.01.2023

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
csm

To

- 1.The Principal District and Sessions Judge,
Thoothukudi District,
Thoothukudi.
- 2.The Chief Judicial Magistrate,
Thoothukudi.
- 3.The Judicial Magistrate No.I,
Thoothukudi.
- 4.The Assistant Superintendent of Police,
Thoothukudi Rural Sub Division,
Thoothukudi District.
- 5.The Inspector of Police,
Thattaparai Police Station,
Thoothukudi District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

csn

Order made in
W.P(MD)No.1100 of 2023
and
W.M.P.(MD)No.1013 of 2023

Dated : 20.01.2023