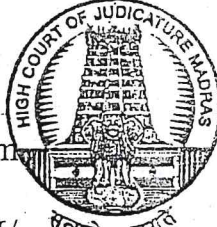


230

Roc. No.1457/2013/G4

Dated: 21.7.2013



From
Thiru.N.T.Kalyanasundaram, B.Com.
Sub Assistant Registrar (Estt.)/
Sub Assistant Registrar (A.D.I) I/c,
High Court, Madras.

To
The Principal District Judge,
Thanjavur.

Sir,

Sub: Courts - Criminal - Thanjavur District -
Additional Chief Judicial Magistrate Court,
Kumbakonam - Conferment of Powers u/s 11(2) and
12(2) of Cr.P.C 1973 (central Act 2 of 1974) - Transfer
of criminal cases in order to equal work distribution -
permission sought for by the Principal District Judge,
Thanjavur - Clarification called for - Regarding.

Ref: Your letter in D.No.3407/18.06.2013/2013/CM/ dated
17.06.2013.

I am to invite a reference to your letter cited wherein you have
requested the High Court to grant necessary permission to transfer the
criminal cases to the Additional Chief Judicial Magistrate Court,
Kumbakonam.

In this connection, I am to invite your kind attention to the section
408 (1) of Criminal Procedure Code which reads as follows:-

"Power of Sessions Judge to transfer cases and appeals :

(1) Whenever it is made to appear to a Sessions Judge that an
order under this sub-section is expedient for the ends of justice,
he may order that any particular case be transferred from one
criminal court to another criminal court in his sessions division.

In view of the above provision, the Sessions Judge is competent to transfer any case from one Criminal Court to another Criminal Court in his Sessions Division.

I am, therefore, to request you to state as to whether the permission of the High Court is still required in the above matter and a report in this regard may be sent to the High Court.

Yours faithfully,

N. T. K. Srinivasan 2/3
Sub Asst. Registrar (A.D.I). I/C

Copy to :-

The Chief Judicial Magistrate,
Thanjavur @ Kumbakonam.