

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (CRL.) NOS.53-55 OF 2019

M/S THOMATTUCHAL TEA PRODUCERS PVT. LTD. & ORS. PETITIONER(S)

VERSUS

M/S GLOBAL TEA BROKERS & ANR. RESPONDENT(S)

WITH

T.P.(Cr1.) No. 65-69/2019

T.P.(Cr1.) No. 70-72/2019

T.P.(Cr1.) No. 75-81/2019

O R D E R

These petitions are filed under Section 406 of the Criminal Procedure Code for the transfer of the cases bearing numbers CC Nos. 6262/18, 6263/18 and 6264/18, titled as M/s Global Tea Borkers Vs. M/s Thomattuchal Tea Producers Pvt. Ltd. & Ors.", CC Nos. 6248/18, 6249/18, 6250/18, 6251/18, 6267/18, titled as "M/s. Global Tea Brokers Vs. M/s. Somerset Tea Plantations & Ors., CC Nos. 417/2011, CC 80/2015 and CC 418/2011 titled as "M/s. Global Tea Brokers Vs. M/s. Yedakadu Tea Manufacturing Company Pvt. Ltd. & Anr., and CC Nos. 424/2011, 414/2011, 420/2011, 433/2011, 415/2011, 416/2011 and 422/2011, pending before Judicial Magistrate First Class, Raipur, Chattisgarh , to the Judicial Magistrate Court Coonoor, Tamil Nadu.

By orders dated 20.03.2009 and 19.04.2010, the petitions filed by the petitioner for the transfer of the very same cases, from the court of the Judicial Magistrate First Class Raipur, Chattisgarh to the concerned Court in Coonoor, Tamil Nadu, were ordered by this court. But unfortunately, by an administrative order, the Fast Track Court at Coonoor has directed the cases to be transferred back to the Court of Judicial Magistrate First Class, Raipur Chattisgarh. This is completely unacceptable and is an act of indiscipline.

Learned counsel for the respondent tried to contend that the jurisdictional Court is only the Court at Raipur. But such an argument is not available to the petitioners any more as the order of transfer passed by this Court in the years 2009-2010 has attained finality. Therefore, all these Transfer Petitions are allowed. Accordingly, CC Nos. 6262/18, 6263/18 and 6264/18, titled as M/s Global Tea Borkers Vs. M/s Thomattuchal Tea Producers Pvt. Ltd. & Ors.", CC Nos. 6248/18, 6249/18, 6250/18, 6251/18, 6267/18, titled as "M/s. Global Tea Brokers Vs. M/s. Somerset Tea Plantations & Ors., CC Nos. 417/2011, CC 80/2015 and CC Nos. 418/2011 titled as "M/s. Global Tea Brokers Vs. M/s. Yedakadu Tea Manufacturing Company Pvt. Ltd. & Anr., and CC Nos. 424/2011, 414/2011, 420/2011, 433/2011, 415/2011, 416/2011 and 422/2011, pending before Judicial

Magistrate First Class, Raipur, Chattisgarh, are transferred to the Judicial Magistrate Court Coonoor, Tamil Nadu.

The Transferor Court is directed to transfer the files to the Transferee Court within a period of 3 weeks of receipt of a copy of this order.

Since what have been transferred are petitions under Section 138 of Negotiable Instruments Act pending for the past 14 years, the Transferee Court shall endeavour to dispose of all these petitions before the end of December, 2020.

The Transfer Petitions are allowed in the aforesaid terms.

.....J.
(V. RAMASUBRAMANIAN)

New Delhi;
18th June, 2020.

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(V. RAMASUBRAMANIAN)

New Delhi;
18th June, 2020.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Transfer Petition(s)(Criminal) No(s). 53-55/2019

M/S THOMATTUCHAL TEA PRODUCERS PVT. LTD. & ORS. Petitioner(s)

VERSUS

M/S GLOBAL TEA BROKERS & ANR. Respondent(s)

IA No. 19052/2019 - EX-PARTE STAY

WITH

T.P.(Cr1.) No. 70-72/2019 (XVI-A)
(FOR FOR EX-PARTE STAY ON IA 10337/2019)T.P.(Cr1.) No. 75-81/2019 (XVI-A)
(FOR FOR EX-PARTE STAY ON IA 12924/2019
FOR DELETING THE NAME OF PETITIONER/RESPONDENT ON IA 12930/2019)T.P.(Cr1.) No. 65-69/2019 (XVI-A)
(FOR FOR STAY APPLICATION ON IA 19766/2019)

Date : 18-06-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

For Petitioner(s) Ms. V. Mohana, Sr. Adv.
Mr. B. Raghunath, Adv.
Mr. Girish Kumar, Adv.
Mr. Vijay Kumar, AOR

For Respondent(s) Mr. Kaustubh Shukla, AOR

UPON hearing the counsel the Court made the following
O R D E RTransfer Petitions are allowed in terms of the signed order.
Pending applications, if any, stand disposed of.(SUMAN WADHWA)
AR CUM PS(PRADEEP KUMAR)
BRANCH OFFICER

Signed order is placed on the file.