

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2015

CORAM

THE HON'BLE MR. JUSTICE R.S.RAMANATHAN

Crl.O.P.Nos.26724 of 2013, 13098 of 2014 and 2962 of 2015
and M.P.No.1 of 2013

1.Senguttuvan
2.Haridoss
3.Kalaiselvi
4.Pari
5.Amudha

...Petitioners in Crl.O.P.Nos.
26724/2013 and 13098/2014
and Respondents
in Crl.O.P.No.2962/2015

vs.

Bharathi

...Respondent in Crl.O.P.Nos.
26724/2013 and 13098/2014
and Petitioner
in Crl.O.P.No.2962/2015

Prayer in Crl.O.P.No.26724 of 2013: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to call for the records of the proceedings in Crl.M.P.No.8737/2012 on the file of the Judicial Magistrate Court, Sirkali and may be pleased to withdraw and transfer the hearing of the Crl.M.P.No.8737/2012 on the file of Judicial Magistrate Court, Sirkali to any competent Court in Cuddalore District.

Prayer in Crl.O.P.No.13098 of 2014: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to issue direction to the Judicial Magistrate, Sirkali to dispose of the Crl.M.P.No.8737 of 2012 at the earliest within a period of 6 months from the date of order.

Prayer in Crl.O.P.No.2962 of 2015: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to direct the Judicial Magistrate, Sirkali, to complete the Crl.M.P.No.8737 of 2012 within a stipulated time.

For Petitioners

Crl.O.P.No.26724/2013 : Mr.S.R.Sumathy
Crl.O.P.No.13098/2014 : Mr.P.Krishnan
Crl.O.P.No.2962/2015 : Mr.S.M.Muralidharan

For Respondents
Crl.O.P.No.26724/2013 &
Crl.O.P.No.13098/2014 : Mr.S.M.Muralidharan

C O M M O N O R D E R

Crl.O.P.No.2962 of 2015 is filed by the petitioner in Crl.M.P.No.8698 of 2012 on the file of the Judicial Magistrate, Sirkali seeking for a direction to dispose of the said petition at the earliest. Crl.O.P.No.13098 of 2014 is filed by the respondents in Crl.O.P.No.2962 of 2015, praying for the very same relief.

2. It is submitted by the learned counsel for the petitioner in Crl.O.P.No.2962 of 2015 that the respondents therein, namely the petitioners in Crl.O.P.Nos.13098/2014 and 26724/2013 filed C.A.No.5 of 2013, challenging the interim maintenance granted in favour of the petitioner in Crl.M.P.No.8698 of 2012, before the learned Sessions Judge, Mahila FTC Court, Nagapattinam and that was partly allowed and the first respondent was directed to pay Rs.10,000/- as interim maintenance and the trial Court was directed to dispose of the petition within a period of 60 days by order dated 05.07.2014. However, due to pendency of Criminal Original Petitions before this Court, the learned Magistrate was not able to proceed with the case at the earliest.

3. Considering the submission of the learned counsel for the petitioner in Crl.O.P.No.2962 of 2015 and that the first respondent, namely the husband has also filed Crl.O.P.No.13098 of 2014, praying for very same relief, Crl.O.P.Nos.2962 of 2015 and 13098 of 2014 are allowed and the learned Judicial Magistrate, Sirkali is directed to dispose of Crl.M.P.No.8737 of 2012 on or before 31.08.2015. In view of the orders passed in Crl.O.P.Nos.2962 of 2015 and 13098 of 2014, Crl.O.P.No.26724 of 2013 is closed as infructuous. Consequently, connected miscellaneous petition is closed.

jvm

-s/d-
Assistant Registrar(CS-II)
Dt:8/4/2015

True Copy

Sub-Assistant Registrar

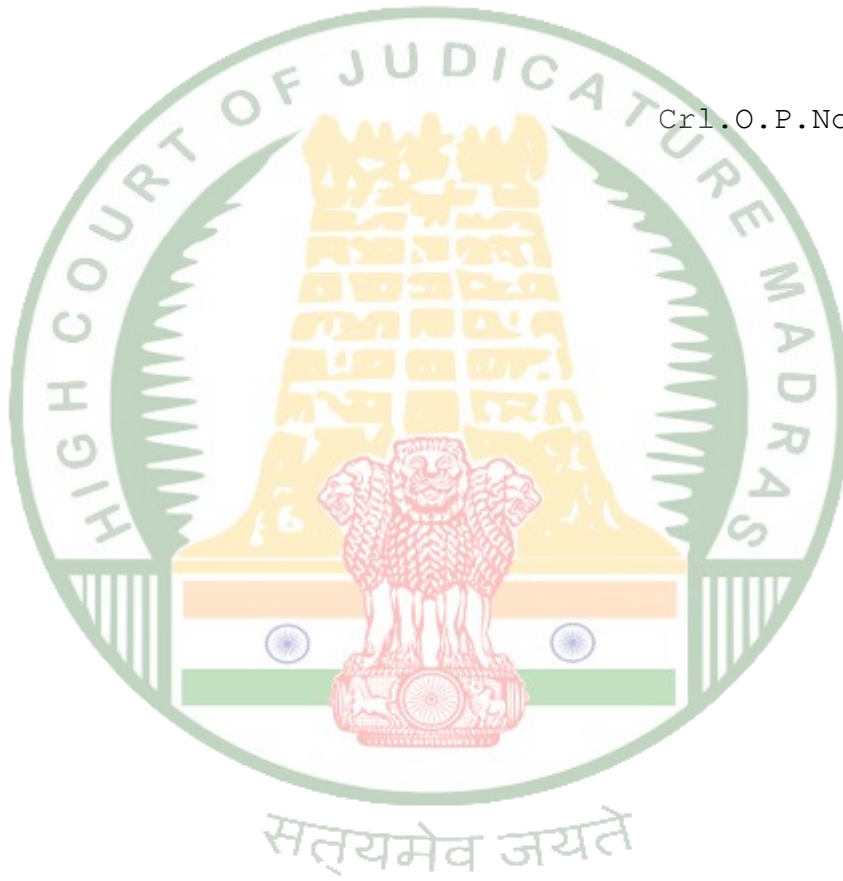
To

1. The Judicial Magistrate Court,
Sirkali
2. The Chief Judicial Magistrate,
Nagapattinam.

+ 1 cc to Mr.S.M.Muralidharan, Advocte SR 17871

scd(co)
prk9/4

Cr1.O.P.Nos.26724 of 2013,
13098 of 2014
and 2962 of 2015



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