

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

CrI.O.P.No.2732 of 2016

And

CrI.M.P.No.1451 of 2016

C.Sudhakaran ... Petitioner

Vs.

M.Sathya ... Respondent

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the Family Court, Erode to conduct the Joint Trial of the M.C.No.111 of 2014 and H.M.O.P.No.189 of 2015 on the file of the Family Court, Erode.

For Petitioners : Mr.C.Prakasam

ORDER

The petitioner who is the husband of the respondent has come forward with this petition seeking to direct the Family Court, Erode to conduct the Joint Trial of the M.C.No.111 of 2014 and H.M.O.P.No.189 of 2015 on the file of the Family Court, Erode.

2.Even though notice was served on the respondent, she has not chosen to enter appearance. Even today, though the matter is posted under the caption 'for orders' no one represented the respondent.

3.The learned counsel for the petitioner submitted that the respondent/ wife filed M.C.No.111 of 2014 claiming maintenance under Section 125 of the Cr.P.C. and that has been pending before the Family Court, Erode. The petitioner/ husband filed petition for divorce on the ground of cruelty and assertion in H.M.O.P.No.141 of 2012 before the Sub Court, Mettur and that has been transferred to the Family Court, Erode as H.M.O.P.No.189 of 2015. He further stated that the respondent also filed

I.A.No.743 of 2015 claiming interim maintenance and interim maintenance has been awarded.

4.In such circumstances, this Court directs the Presiding Officer, Family Court, Erode to conduct joint trial of H.M.O.P.No.189 of 2015 along with M.C.No.111 of 2014. This Criminal Original Petition is accordingly disposed of. Consequently, the connected miscellaneous petition is also closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Presiding Officer,
Family Court,
Erode

2.The Public Prosecutor
High Court, Madras.

+1 cc to Mr.C.Prakasam Advocate sr.14071

Crl.O.P.No.2732 of 2016
And
Crl.M.P.No.1451 of 2016

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