

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2016

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

Cr1.O.P.No.300 of 2016

P.Sudha

... Petitioner

Vs.

1.N.Kannan

2.P.Usha

... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct to dispose of C.A.No.195 of 2014 pending on the file XVI Additional Sessions Judge, Chennai, within time frame.

For Petitioner : Mr.A.Tamilarasan

ORDER

This petition is filed praying for a direction to dispose of the C.A.No.195 of 2014 pending on the file of the learned XVI Additional Sessions Judge, Chennai, within a time frame.

2.In the petition it has been stated that the marriage between the petitioner and the first respondent was an arranged marriage and thereafter, the petitioner left the matrimonial home and stayed in a hostel.

3.It is further stated that the petitioner filed an application in C.C.No.3096 of 2011 on the file of the learned X Metropolitan Magistrate, Egmore, Chennai against the respondents under Section 12 of the Protection of Women from Domestic Violence Act, 2005, claiming protection, residence orders, monetary reliefs and compensation and the same was ordered by the learned X Metropolitan Magistrate, Egmore, Chennai on 21.05.2012 stating that the order has to be executed within a period of two months. Aggrieved over the same, the respondent filed an appeal against the order with a delay of 441 days on 25.09.2013 and the application for condoning the delay was allowed on 10.07.2014. Thereafter, the appeal was made over to the XVI Additional Sessions Court, Chennai and the petitioner entered appearance on 25.11.2014 and the case was regularly

listed under the caption 'for awaiting lower court records' for more than one year and now the case is listed on 11.01.2016. Hence, the petitioner has come forward with this petition.

4. Heard the learned counsel appearing for the petitioner. In view of the nature of the order that is going to be passed, this Court is of the opinion that there is no need to issue notice to the respondents.

5. In view of the submissions made by the learned counsel appearing for the petitioner, this Court directs the learned XVI Additional Sessions Judge, Chennai to send intimation to the learned X Metropolitan Magistrate, Egmore, Chennai to send the records relating to the case and on receipt of the records from the X Metropolitan Magistrate Court, Egmore, Chennai, the learned XVI Additional Sessions Judge, Chennai is directed to expedite the hearing in C.A.No.195 of 2014 and dispose of the same as early as possible, preferably, within a period of four months from the date of receipt of a copy of this order.

6. This Criminal Original Petition is disposed of accordingly.

sd/-
Assistant Registrar(Cs-V)

/TRUE COPY/

Sub-Assistant Registrar

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To

1. The XVI Additional Sessions Judge,
Chennai

2. The Public Prosecutor
High Court, Madras.

3. The X Metropolitan Magistrate,
Egmore, Chennai.

+1 CC to MR.A.Tamilarasan Advocate. SR.NO. 1561

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CO-RSK
JD 08/01/2016