



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2016

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

CrI.O.P.(MD) No.22143 of 2016

Ismath Batcha

.. Petitioner/Complainant

-Vs-

R.Manavalan

.. Respondent/Accused

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to expedite the disposal of the case pending before the learned I Additional District Munsif cum Judicial Magistrate, Kumbakonam in S.T.C.No.381 of 2006 within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.R.Venkatesan

O R D E R

This Criminal Original Petition has been filed seeking a direction to the learned I Additional District Munsif cum Judicial Magistrate, Kumbakonam to dispose of S.T.C.No.381 of 2006 within a time frame.

2.Mr.R.Venkatesan, the learned counsel for the petitioner would submit that the petitioner filed the complaint under Section 138 of Negotiable Instruments Act for the dishonour of cheque in the year 2004. It is further submitted that the case has been pending without any progress for more than 10 years, which caused undue hardship and irreparable loss to the petitioner.

3.The learned counsel for the petitioner would further submit that in J.V.Baharuni v. State of Gujarat [2015 (1) CTC 284], the Hon'ble Apex Court has issued a direction to the Subordinate Court to dispose of the case in a time bound manner. Despite the same, the case of the petitioner is not disposed of.

4.Considering the submissions of the learned counsel for the petitioner and the facts of this case, the I Additional District Munsif cum Judicial Magistrate, Kumbakonam is directed to dispose of S.T.C.No.381 of 2006 as expeditiously as possible, preferably within a period of 5 months from the date of receipt of a copy of this order.

5.Accordingly, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(Writs)



To:

1.The I Additional District Munsif cum Judicial Magistrate,
Kumbakonam.

2.The Addl.Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.Venkatesan, Advocate in SR No.72390

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SJ

ANR/CK/09.12.2016/2P/4C