

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 06.01.2017

Coram

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.26766 of 2016

T.Malarkodi

.. Petitioner

Vs.

Natarajan

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C to direct the Judicial Magistrate, Ariyalur, to dispose of Crl.M.P.No.768 of 2016 pending on his file.

For Petitioner :Mr.S.Vijayakumar

For Respondent :No appearance

ORDER

This petition has been filed to direct the learned Judicial Magistrate, Ariyalur to dispose of the petition in Crl.MP.No.768 of 2016 pending on his file.

2.The case of the petitioner is that the respondent herein filed a suit in O.S.No.343 of 2010 on the file of the District Munsif Court, Ariyalur, seeking a decree for declaration and permanent injunction restraining the petitioner from disturbing the peaceful possession and enjoyment of the property covered in the sale deed dated 26.04.2010 and the said suit stood adjourned for arguments. While so, in order to defend her case in the suit, the petitioner moved a petition in Crl.M.P.No.768 of 2016 before the learned Judicial Magistrate, Ariyalur, for production of the original sale deed dated 26.04.2010, executed by the respondent herein in favour of the petitioner and parent documents, which were said to have been taken by the Inspector of Police, Senthurai Police Station, Ariyalur District for investigation in connection with a case in FIR No.563 of 2010 registered against him for the offence punishable under Section 420 IPC, based on the complaint lodged by the respondent herein. However, the said petition is yet to be taken for enquiry. Therefore, the petitioner is before this Court with this petition for the above stated relief.

3. When this petition came up for admission on 20.12.2016, this Court directed the petitioner to send private notice to the respondent returnable in two weeks. Accordingly, the petitioner has taken private notice on the respondent. Despite service of notice and the name of the respondent having been printed in the cause list, none appears for the respondent.

4. Considering the facts and circumstances of the case and taking note of the nature of the relief sought for herein, this Court directs the learned Judicial Magistrate, Ariyalur, to dispose of the petition in CrI.M.P.No.768 of 2016 pending on his file, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rk

To
1. The Judicial Magistrate, Ariyalur.

+1cc to Mr.S. Vijayakumar, Advocate, S.R.No.1313

cnr (CO)
md(10/02/2017)

सत्यमेव जयते

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