

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2018

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.26564 of 2018

1.S.Sathyavathi

2.Thirukumaran (minor)

3.S.Poorani (minor) .. Petitioners
(2nd & 3rd petitioner rep. by 1st petitioner
mother and natural guardian)

Vs

1.N.Srinivasan

2.The Commissioner of Police
EVK Sampath Salai,
Vepperi, Chennai.

3.Inspector of Police
Vadapalani Police Station
Vadapalani, Chennai.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to
direct the 2nd and 3rd respondent to execute warrant issued in
MP.No.315 of 2016 in MC.No.286 of 2013 on the file of the 3rd
Additional Family Court, Chennai.

For Petitioner : Mr.K.Dilith Kumar

For Respondents : Mr.C.Raghavan
Government Advocate (Crl. Side)

WEB COPY
O R D E R

This petition has been filed for a direction to the
respondent police to execute warrant issued in MP.No.315 of 2016
on the file of the III Additional Family Court, Chennai.

2. It is seen from the records that the petitioner and
her two minor children had filed MC.No.286 of 2013 under Section
125 of Cr.P.C., seeking for maintenance against the 1st

respondent. The Court below passed an order on 29.02.2016, directing the 1st respondent to pay a maintenance of Rs.3000/- to the 1st petitioner and Rs.11,000/- to the petitioners 2 and 3 from the date of the petition. This order has not been complied with by the 1st respondent. Therefore, the petitioners filed M.P.No.315 of 2016, before the III Additional Family Court, Chennai, for the direction to the 1st respondent to pay the arrears of the maintenance of Rs.3,85,000/-. The learned III Additional Family Court Judge, Chennai, issued a warrant against the 1st respondent on 02.03.2017, since the order has not been complied with by the 1st respondent. Even thereafter on 01.03.2018, reminder was sent to the 3rd respondent to execute the warrant. However, the warrant has not been executed till date. Therefore, the present petition has been filed seeking for appropriate direction.

3. In the facts and circumstances, the 3rd respondent is directed to execute the warrant issued in M.P.No.315 of 2016 in M.C.No.286 of 2013, on the file of the III Additional Family Court, Chennai, within a period of one month from the date of receipt of a copy of this order.

4. With the above direction, this Criminal Original Petition is allowed.

Sd/-
Assistant Registrar(CS-VIII)

//True copy//

Sub Assistant Registrar

ssr/ub

To

1.The Commissioner of Police,
EVK Sampath Salai, Veppery, Chennai.

2.Inspector of Police,
Vadapalani Police Station,
Vadapalani, Chennai.

3.The Public Prosecutor,
High Court, Madras.

4. The Judge, III Additiional Family Court.

Cr1.O.P.No.26564 of 2018

SS(CO)
GMY(04/12/2018)