



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2018

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P. (MD)No.1773 of 2018

Muthammal

...Petitioner

-Vs-

Kalimuthan

...Respondent

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code, to direct the Trial Court to dispose the Cr.M.P.No.796 of 2014 in M.C.No.38/1998 on the file of the learned Judicial Magistrate No.II, Usilampatti.

For Petitioner : Mr.J.Jeyakumaran

O R D E R

This Criminal Original Petition has been filed to direct the Trial Court to dispose the Cr.M.P.796 of 2014 in M.C.No.38/1998 on the file of the learned Judicial Magistrate No.II, Usilampatti.

2.The learned counsel appearing for the petitioner submitted that the petitioner has filed a petition under Section 125 Cr.P.C., seeking maintenance and the same has been taken on file in M.C.No.38 of 1998. In that case, it was ordered on 10.01.2003 that the respondent should pay a sum of Rs.500/- each per month to the petitioner and her daughter towards maintenance. Thereafter, the respondent did not pay the amount and hence the petitioner has filed Cr.M.P.No.796 of 2014, seeking for execution of the said order. But, so far, the learned Judicial Magistrate No.II, Usilampatti has not passed any order in that petition. Hence, the petitioner has filed this petition seeking for a direction that the learned Judicial Magistrate No.II, Usilampatti shall dispose of Cr.M.P.No.796 of 2014 within a stipulated time.

3.A perusal of the case diary shows that neither the petitioner nor her counsel appeared for several hearings before the Trial Court. Hence, the petitioner is directed to appear before the Trial Court and make a request for expedite enquiry in Cr.M.P.No.796 of 2014.

4.With the aforesaid observations, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(T&P)

/True Copy/



To

1. The Judicial Magistrate No.II,
Usilampatti.

+1cc to M/S.J.Jeyakumaran, Advocate SR.No. 47025

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das

JM/KK/SAR 1/26.02.2018/2P/3C