



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 07.09.2018
CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

WEB COPY

Cr1.O.P.[MD].No.17070 of 2014
and
M.P.[MD].Nos.1 and 2 of 2014

S.T.Venkatachalapathy : Petitioner

Vs.

Minor T.Aravind
S/o.S.T.Venkatachalapathy
Represented through his mother
and next friend G.Rajalakshmi : Respondent

PRAYER : Criminal Original Petition is filed under Sections 482 of Cr.P.C. to call for the records pertaining to the M.C.No.7 of 2013 on the file of the learned Judicial Magistrate, Periyakulam and quash the same.

For Petitioner : Mr.D.Muthukaruppan
For Respondent : Mr.N.Dilipkumar

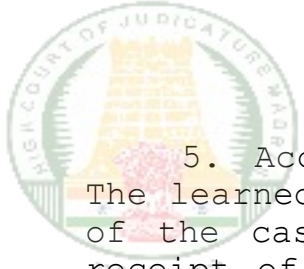
ORDER

The Criminal Original Petition has been filed to quash the M.C.No.7 of 2013, on the file of the learned Judicial Magistrate, Periyakulam.

2. The learned counsel for the petitioner would submit that the respondent now attained majority and therefore, he is not entitled for any maintenance.

3. The learned counsel for the respondent submitted that the maintenance case as against the petitioner in M.C.No.7 of 2013 claiming Rs.10,000/- as monthly maintenance for the respondent's college studies, is pending. Now, the respondent is studying college study and he could not face the financial crisis. Further, the learned counsel would submit that the trial has been commenced and the petitioner's side evidence was over and it is posted for the respondent's side evidence. Therefore, the learned counsel prays for dismissal of this petition.

4. Considering the facts and circumstances of the case, there is no ground to quash the maintenance case in M.C.No.7 of 2013 pending on the file of the learned Judicial Magistrate, Periyakulam, Theni District.



5. Accordingly, the Criminal Original Petition is dismissed. The learned Judicial Magistrate, Periyakulam, is directed to dispose of the case, within a period of three months from the date of receipt of a copy of this order. The petitioner is at liberty to raise all the grounds before the trial Court. Further, the appearance of the petitioner before the learned Judicial Magistrate, Periyakulam is dispensed with, except the dates of hearing on which, the learned Judicial Magistrate insisted the petitioner to appear before the Court. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1.The Judicial Magistrate, Periyakulam

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

+1CC to Mr.N.Dilipkumar, Advocate, SR.No.83076

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