

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 15.07.2020
CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.Nos. 6751 & 6752 of 2018

A.S.Ramaa

... Petitioner in
both Crl.O.P.s

Vs.

A.Rakesh

... Respondents
in both Crl.O.P.s

PRAYER in Crl.O.P. No.6751 of 2018 : Criminal Original Petition filed under Section 482 of Cr.P.C. praying to order a speedy disposal direction to the lower court in Interlocutory Application Crl.M.P. No.2470 of 2017 in D.V. No.48 of 2017 pending before the file of Hon'ble XVII Metropolitan Magistrate at Saidapet, Chennai.

PRAYER in Crl.O.P. No.6752 of 2018 : Criminal Original Petition filed under Section 482 of Cr.P.C. praying to order a speedy disposal direction to the lower court in Interlocutory Application Crl.M.P. No.2471 of 2017 in D.V. No.48 of 2017 pending before the file of Hon'ble XVII Metropolitan Magistrate at Saidapet, Chennai.

For Petitioner : No appearance

For Respondent : Mr.P.Gunaraj

O R D E R

These Criminal Original Petitions have been filed for a direction directing the lower court to dispose the Interlocutory Application in Crl.M.P.Nos. 2470 & 2471 of 2017 in D.V.C. No.48 of 2017 pending before the file of XVII Metropolitan Magistrate, Saidapet, Chennai at the earliest.

2. It is seen that the petitioner was a widow and mother of respondent. When the petitioner went to her matrimonial home for performing her husband's first death anniversary, the respondent and his relatives have hit the petitioner and thrown out of the house. Due to the violent act of the respondent, she had suffered serious injury in her head, face and lost her tooth and since then, she had been vomiting blood and giddiness. But, the respondent did not even care to give her first aid. On explaining her situation, she had approached MediFee for medical assistance and they have advised to take a MRI scan for the assessment of the damage suffered by her. Hence, the petitioner had filed an Interlocutory Application Crl.M.P. Nos. 2470 and 2471 of 2017 for interim maintenance and for residence order during the

pendency of D.V.C. No.48 of 2017 before the XVII Metropolitan Magistrate Court at Saidapet, Chennai, since she finds very tedious to stay alone with varied medical complications and travel to attend the case and also she has no means to sustain herself and spend for her medical treatment. Despite waiting for more than 6 months, the application has not been decided and hence, the petitioner was not able to undergo medical treatment for her head injury. Hence, the petitioner has filed this petition to expedite the proceedings of the Interlocutory Application in Crl.M.P. Nos.2470 and 2471 of 2017 in D.V.C.No.48 of 2017 and grant residence order and also interim maintenance to the petitioner.

3. Heard Mr.P.Gunaraj, learned counsel appearing for respondent.

4. Considering the facts and circumstances and also the criminal case is of the year 2017, the learned XVII Metropolitan Magistrate, Saidapet, Chennai is directed to dispose the Interlocutory Application in Crl.M.P. Nos.2470 and 2471 of 2017 in D.V.C.No.48 of 2017 within a period of six months from the date of receipt of the copy of this order, if it is not already disposed of.

5. With the above direction, these Criminal Original Petitions are allowed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

rpp

To,

The XVII Metropolitan Magistrate at Saidapet, Chennai.

CRL.O.P. Nos.6751 & 6752

of 2018

A.SK(09/09/2020)

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