

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.03.2020

CORAM

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Contempt Petition No. 2148 of 2019

Mrs.Suja Manoj Kumar

..Petitioner

Vs

1. Mr.Manojkumar
2. Mr.Thirumalairaj
3. Karthiyayini
4. Arinath

.. Respondents

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondents for willfully disobeying the orders passed in CrI.O.P.No.17254 of 2018 dated 29.04.2019.

For Petitioner : Mr.Auxilla Peter

For Respondents : Mr.T.Raghavan

WEB ORDER COPY

This Contempt petition has been filed as against the respondents for not complying the condition imposed by this Court quashing the proceedings initiated by the petitioner in D.V.C.No.22 of 2017 on the file of the learned

Judicial Magistrate, Tambaram.

2. This Court imposed the following conditions in Crl.O.P.No.17254 of 2018 dated 29.04.2019 and relevant paragraphs are extracted here under:

5. In view of the above, this Court is inclined to quash the proceedings in D.V.C.No.22 of 2017, on the file of the Judicial Magistrate Court, Tambaram, insofar as these petitioner Nos.2 to 4 are concerned, on condition that, they shall ensure that the 1st petitioner/husband of the respondent shall deposit a sum of Rs.5,000/- (Rupees Five Thousand Only) before 5th of every English Calendar month to the credit of D.V.C.No.22 of 2017, on the file of the Judicial Magistrate Court, Tambaram, as ad-interim maintenance, without prejudice to both the parties, failing which this order shall stand automatically cancelled. On such deposit being made, the respondent is entitled to withdraw the same.

6. Insofar as 1st petitioner/husband of the respondent is concerned, since the impugned proceedings in D.V.C.No.22 of 2017 is pending from the year 2017 onwards, it would be appropriate to direct the trial court to complete the trial within a period of three months from the date of receipt of this order. The 1st petitioner/husband of the respondent is directed to appear before the trial Court on the next hearing date, failing which, the respondent is at liberty to approach this Court.

7. In the result, these Criminal Petitions stands allowed. Consequently, connected miscellaneous petitions are closed.

3. If the respondents failed to comply with the order, the conditional order passed by this Court automatically stands cancelled. Now, admittedly, the respondents did not comply with the condition and therefore the order of this Court in CrI.O.P.No.17254 of 2018 dated 29.04.2019 stands automatically cancelled.

4. The respondents are directed to appear before the trial court and the trial court shall proceed with the trial in accordance with law.

5. With the above observations, this contempt petition stands disposed of.

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ASSISTANT REGISTRAR(COMM.CASES)

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER(O.S.)

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