



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**

Cr1.O.P.[MD]No.9605 of 2020

Chinnaramu ... Petitioner / Petitioner

Vs.

1.Pandi

2.Muthulakshmi

3.Muthumeena

4.Pandiammal

... Respondents / Respondents

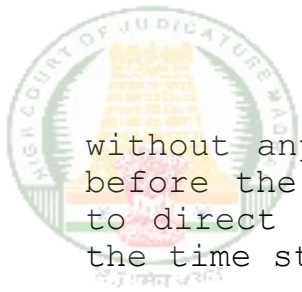
PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned District Munsif-cum-Judicial Magistrate, Peraiyur, Madurai, to complete the proceedings in Cr.M.P.No.2947 of 2019, within the period stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen

ORDER

This Criminal Original Petition has been filed seeking direction to direct the learned Judicial District-Munsif-cum-Judicial Magistrate, Peraiyur, Madurai, to complete the proceedings in Cr.M.P.No.2947 of 2019, within the period stipulated by this Court.

2. The learned counsel appearing for the petitioner would submit that on 21.10.2019, the petitioner made a complaint before the learned District-Munsif-cum-Judicial-Magistrate, Peraiyur, Madurai, under Section 156(3) of Cr.P.C. Upon receipt of the complaint given by the petitioner, the learned District-Munsif-cum-Judicial-Magistrate, Peraiyur, Madurai, directed the Inspector of Police, Peraiyur Police Station, to enquire the dispute made out in the complaint and file a final report before the concerned Court. Subsequent to that, the Inspector of Police, Peraiyur Police Station, after completing the enquiry, on 13.12.2019 itself, filed his report before the learned District-Munsif-cum-Judicial-Magistrate Court, Peraiyur, Madurai. Though the said report has been received by the learned Judicial Magistrate on 13.12.2019,



without any reason, till date, the said complaint has been pending before the said Court. In the said circumstances, it is necessary to direct the learned Judicial Magistrate to pass an order, within the time stipulated by this Court.

WEB COPY 3. Upon considering the submissions made by the learned counsel appearing for the petitioner, it would be relevant to see the docket entry made by the learned Judicial Magistrate in Cr.M.P.2947 of 2019 and it reveals the fact that on 13.12.2019, the Inspector of Police, Peraiyur Police Station, Madurai District, submitted his report. Subsequently, the above said petition has been enquired time and again many times, without passing any order. The interesting factor which is seen in the docket entry is that after the month of March 2020, till date, the said petition has been pending on the file of the learned District Munsif cum Judicial Magistrate, without passing any order. So, in this regard, the Registry is directed to call for the remarks from the learned District-Munsif-cum-Judicial-Magistrate, Peraiyur, Madurai District, as to under what circumstances, Cr.M.P.No.2947 of 2019, is pending with the above said Court, particularly, without any order and the same has not been adjourned after 24.03.2020.

4. In otherwise, considering the facts and circumstances of the case, I am of the opinion that it is a fit case to issue a direction to the learned District Munsif cum Judicial Magistrate, Peraiyur, Madurai District, to dispose of the petition mentioned case in Cr.M.P.No.2947 of 2019, within a period of two weeks from the date of receipt of a copy of this order.

5. In view of the above observations and directions, this Criminal Original Petition is allowed accordingly.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

tsg

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1.The District Munsif-cum-Judicial Magistrate,
Peraiyur, Madurai.

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

Order made in
Crl.O.P.[MD]No.9605 of 2020
Dated :
10.09.2020

SJ(CO)
CS(23.09.2020) 3P 3C