



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.12.2020

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P.(MD)No.13851 of 2020

Guruvammal

... Petitioner

vs.

Sundaramoorthy

... Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Judicial Magistrate, Tenkasi District to expedite the trial in M.C.No.19 of 2017 on its file and complete the same within stipulated time as fixed by this Court.

For Petitioner : Mr.A.Thiruvadi Kumar

O R D E R

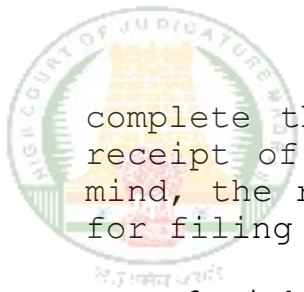
This Criminal Original Petition has been filed to direct the learned Judicial Magistrate, Tenkasi District to expedite the trial in M.C.No.19 of 2017 on its file and complete the same within stipulated time as fixed by this Court.

2.The learned counsel appearing for the petitioner would submit that the petitioner instituted the proceedings in M.C.No.19 of 2017 before the learned Judicial Magistrate, Tenkasi, Tenkasi District under Section 125 of Cr.P.C claiming a sum of Rs.15,000/-per month as maintenance. According to the petitioner, the marriage between the petitioner and the respondent was solemnized on 17.01.2010 as per Hindu Rituals and Customs. The petitioner's husband/respondent is employed in the Indian Army and they were residing at Ambala in Haryana and various places. They have no children. Since the petitioner has suffered cruelty at the hands of the respondent, she came to her parents' home in the year 2013. From 2013, steps have been taken for reunion through their elders and family members, which went in vain. Now, the petitioner filed M.C.No.19 of 2017.

3.The grievance of the petitioner is that from 2017 onwards, the respondent seeks time for filing counter affidavit and there is no progress in the case. Therefore, the petitioner has come forward with this petition for early disposal of the case.

4.In view of the order going to be passed, notice to respondent is not necessary.

5.On perusal of the records, it is seen that M.C.No.19 of 2017 is pending from 2017, the learned Judicial Magistrate, Tenkasi District is directed to expedite the trial in M.C.No.19 of 2017 and



complete the case within a period of six months from the date of receipt of a copy of this order. The learned Judge should keep in mind, the respondent cannot protract the proceedings by seeking time for filing counter.

6. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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 Judicial Magistrate,
Tenkasi District.

2. The Section Officer,
Criminal Section, (Records),
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD) No.13851 of 2020

DATED : 02.12.2020

PU (CO)

KB (15.12.2020) 2P 3C