



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.12.2020

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P.(MD)No.14994 of 2020

1.Shagaya Princy
2.Minor.Jones Anthony
3.Minor.Victor Alwin

... Petitioners

Vs.

Jesuraj

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned Judicial Magistrate, Aruppukottai, Virudhunagar District to complete the proceedings on the maintenance case filed by the petitioners in M.C.No.14 of 2017 on the file of the learned Judicial Magistrate, Aruppukottai, Virudhunagar District, within a time as framed by this Court.

For Petitioners : Mr.B.Jeyakumar

ORDER

This criminal original petition has been filed to direct the learned Judicial Magistrate, Aruppukottai, Virudhunagar District to complete the proceedings on the maintenance case filed by the petitioners in M.C.No.14 of 2017 on the file of the learned Judicial Magistrate, Aruppukottai, Virudhunagar District, within a time frame.

2.The learned counsel appearing for the petitioners would submit that the marriage between the first petitioner and the respondent was solemnized on 23.08.2009 and out of the wed-lock, they blessed with two children. He would further submit that the respondent herein failed to maintain his wife and the children. Hence, the petitioners filed a maintenance case in M.C.No.14 of 2017 before the learned Judicial Magistrate, Aruppukottai, Virudhunagar District and the same is pending till date. He would further submit that the case is now posted for cross-examination of the respondent. However, he has not come forward to proceed the case. Due to which, the case is pending. Hence, the petitioners, filed the present petition seeking the aforesaid relief.



3. Heard the learned counsel for the petitioner. Since no adverse order is going to be passed, notice to the respondent is not necessary.

4. Considering the facts and circumstances of the case and also considering the fact that the case in M.C.No.14 of 2017 is pending from the year 2017, this Court directs the learned Judicial Magistrate, Aruppukottai, Virudhunagar District to complete the trial in M.C.No.14 of 2017 and dispose of the same, within a period of four months from the date of receipt of a copy of this order. Accordingly, this criminal original petition is allowed.

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gns

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

The Judicial Magistrate,
Aruppukottai,
Virudhunagar District.

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KM (18.01.2021) 2P 2C