



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P. (MD)No.1272 of 2021

1,Vijayalakshmi @ Nivetha

2.Minor.Lakshitha

... Petitioners

Vs.

Thanga Kodi @ Suthesh

...Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Honourable Judicial Magistrate to dispose the Crl.M.P.No.12060 of 2019 on the file of the Judicial Magistrate No.1, Sivakasi, within the period stipulated by this Court.

For Petitioner : Mr.M.Vijayarathinam

O R D E R

This criminal original petition has been filed seeking a direction to the learned Judicial Magistrate No.I, Sivakasi, to dispose of the case in Crl.M.P.No.12060 of 2019 within the period stipulated by this Court.

2.The case of the petitioner is that the marriage between the first petitioner and the respondent was solemnized on 09.12.2010. Due to the wedlock, the second respondent was born on 11.11.2011. Later, some dispute arose between them because of the drunken nature of the respondent. Subsequently, the respondent herein filed HMOP No.140 of 2014 on the file of the Subordinate Court, Srivilliputtur, for divorce and later, it was withdrawn. Thereafter, the respondent herein filed an another HMOP No.145 of 2016 before the Subordinate Court, Srivilliputtur. In the meantime, the first petitioner filed HMOP No.24 of 2018 on the file of the Subordinate Court, Sivakasi, for restitution of conjugal rights and also filed a petition in MC.No.02/2018 before the Judicial Magistrate I, Sivakasi, under Section 125 of Cr.P.C., and the same was allowed with a direction to pay a sum of Rs.3,000/- per month as monthly maintenance. Even after, there was no payment by the respondent. Hence, the first petitioner filed Crl.M.P.No.12060 of 2019 before the learned Judicial Magistrate No.I, Sivakasi, for payment of arrears amount. The case is of the year 2019, but, till date, there was no progress.



Seeking an order of speedy disposal, this petition has been filed.

3.Considering the nature of the request as well as the facts and circumstances of the case, there shall be a direction to the learned Judicial Magistrate No.1, Sivakasi, to dispose of the case in Crl.M.P.No.12060 of 2019 within a period of two months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 No.1,
Sivakasi.

+1 CC to M/s.M.VIJAYA RATHINAM, Advocate (SR-18448[F] dated 04/05/2021)

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AS (08.06.2021) 3P 3C