



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.11.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Crl.O.P. (MD) No.3943 of 2019

and Crl.M.P. (MD) .No.2325 of 2019

WEB COPY

Muthu

.. Petitioner/Petitioner/Respondent

Vs.

Rajammal

.. Respondent/Respondent/Petitioner

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to set aside the order passed in Revision Petition in Cr.R.C.No.10 of 2015 dated 11.07.2017 on the file of the District & Sessions Judge, Sivagangai in M.C.No.12 of 2014, dated 06.05.2015 by the learned District Munsif cum Judicial Magistrate, Thiruppathur.

For Petitioner : Mr.V.Kannan

For Respondent : Mr.S.Kameswaran

ORDER

This Criminal Original Petition has been filed seeking to set aside the order passed in Revision Petition in Cr.R.C.No.10 of 2015 dated 11.07.2017 on the file of the District & Sessions Judge, Sivagangai in M.C.No.12 of 2014, dated 06.05.2015 by the learned District Munsif cum Judicial Magistrate, Thiruppathur.

2.It is a dispute between the husband and wife. The revision has been dismissed because of non appearance of the petitioner. The learned counsel for the petitioner seeks direction to file proper restoration petition. But there is lapse of four years. It may not be possible for the petitioner to file proper petition to condone the delay. But however considering that the issue is with regard to the maintenance, for the purpose of exploring the possibility of settlement, let the Cr.R.C.No.10 of 2015 be restored to the file of District and Sessions Judge, Sivagangai and the parties shall appear before the Revisional Court and the Revisional Court shall make an endeavour to settle the issue by referring the matter to Mediation. If not settled, the same shall be disposed of on merits.

3.With this above said direction, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed. Both the parties shall appear before the District and Sessions, Sivagangai on 25.11.2021 without fail.



4.Registry is directed to send the copy of this order to the concerned Court and both parties.

Sd/-

Assistant Registrar (CS II)

WEB COPY

// True Copy //

/ /2021

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 District and Sessions Judge, Sivagangai.
- 2.The District Munsif cum Judicial Magistrate, Thiruppathur.
- 3.Muthu,
S/o.Karuppaiyah,
Mallakottai Village,
Thiruppathur Taluk, Sivagangai District.
- 4.Rajammal,
W/o.Muthu
Mallakottai Village,
Thiruppathur Taluk, Sivagangai District.

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