



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Cr1.O.P. (MD)No.9517 of 2019

Kumutha

... Petitioner/Respondent/Petitioner/
Petitioner

Vs.

R.Thangavelu

...Respondent/Petitioner/Respondent/
Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Family Court, Tiruvelveli to expedite the enquiry and dispose the cases in Cr.M.P.No.89 of 2018 in Cr.M.P.No.233 of 2015 in M.C.No.79 of 2014 on the file of the Family Court, Tirunelveli within the time frame fixed by this Court.

For Petitioner : Mr.T.Selvan

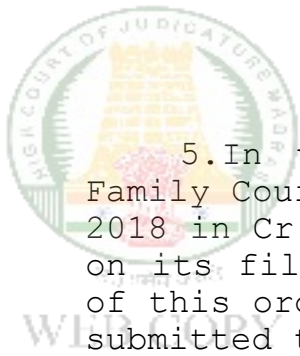
O R D E R

This petition is filed to direct the Family Court, Tiruvelveli to expedite the enquiry and dispose the cases in Cr.M.P.No.89 of 2018 in Cr.M.P.No.233 of 2015 in M.C.No.79 of 2014 on the file of the Family Court, Tirunelveli within the time frame.

2.The petitioner and the respondent are husband and wife. The marriage between them was held on 28.01.1989. Out of wedlock, they have a male baby and the respondent has neglected to maintain the petitioner and her son. Hence the petitioner filed a maintenance case before the Chief Judicial Magistrate, Tirunelveli in M.C.No.10 of 2013 and the same was transferred to the file of the Family Court, Tirunelveli and renumbered as M.C.No.79 of 2014. The said case was allowed on 21.07.2015, directing the respondent to pay a sum of Rs.7,500/- per month to the petitioner. Aggrieved by the same the respondent has filed Cr1.R.C.No.448 of 2015 before this Court and this Court modified the order of the Family Court and directed the respondent to pay a sum of Rs.5000/- to the petitioner.

3.In the mean time, the petitioner has filed a petition in Cr.M.P.No.233 of 2015 before the Family Court, Tirunelveli to execute the order of maintenance and in the said case, distress warrant was issued by the trial Court on 08.12.2015. Thereafter, the respondent filed a petition in Cr.M.P.No.89 of 2018 to recall the distress warrant and the same was also pending.

4.Now, the grievance of the petitioner is that even after lapse of 6 years, no progress has been made without any proper reason in the above said case.



5. In view of the above, there shall be a direction to the Family Court, Tirunelveli, to dispose of the case in Cr.M.P.No.89 of 2018 in Cr.M.P.No.233 of 2015 in M.C.No.79 of 2014, which is pending on its file within three months from the date of receipt of a copy of this order. After disposal of the same, compliance report must be submitted to the Registry of this Court.

Sd/-

Assistant Registrar (CO)

// 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

The Family Court,
Tirunelveli.

COPY TO:

The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.

Crl.O.P. (MD)No.9517 of 2019
26.11.2021

SMV (CO)

GC/SKN/SAR-2 (29.11.2021) 2P 3C