



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **08.10.2021**

CORAM:

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

Crl.O.P. (MD) No.13462 of 2021

S.Bala

... Petitioner

Vs.

Suresh Abraham Prathap

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to issue speedy disposal direction to the lower Court in D.V.O.P.No.9 of 2018 pending before the file of the learned Judicial Magistrate, Santhakulam, Thoothukudi District at the earliest.

For Petitioner : Mr.Suresh Samson

ORDER

This petition is filed seeking direction to the learned Judicial Magistrate, Santhakulam, Thoothukudi District to dispose of the case in D.V.O.P.No.9 of 2018 within the time stipulated by this Court.

2.As per the judgment passed by the Co-ordinate Bench of this Court in a batch of Criminal Original Petitions dated 18.01.2021, Crl.OP.Nos.28458 of 2019 etc., batch, this petition under Section 482 of Cr.P.C. will not lie for such relief and Civil Revision Petition only will lie. However, it is seen that the case is pending from 2018 and a direction has also been issued in the aforesaid batch of Criminal Original Petitions to dispose of the matters, which are pending before the concerned Court, within three months.

3.It is seen that already an order has been passed by this Court in Crl.O.P.(MD) No.15707 of 2018. A report was also called for from the concerned Court and the same has been received. On going through the report, we find that various reasons have been stated by the concerned Court. However, already a direction has been issued in the aforesaid batch of Criminal Original Petitions. So, the concerned Magistrate has to scrupulously comply with the same in disposing such DVOP matters.

4.In view of the above, there shall be a direction to the learned Judicial Magistrate, Santhakulam, Thoothukudi District to dispose of the case in D.V.O.P.No.9 of 2018, in the light of the judgment passed by the aforesaid batch of Criminal Original Petitions, even though this petition will not lie. After disposing the same on merits, compliance report must be submitted to the Registry.



5. With the aforesaid direction, this petition stands disposed of.

Sd/-

Assistant Registrar (A.D 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 Judicial Magistrate,
Santhakulam,
Thoothukudi.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

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

+1 CC to M/s.SURESH SAMSON, Advocate (SR-31995[F] dated 12/10/2021)

Cr1.O.P. (MD) No.13462 of 2021

08.10.2021

NSN(CO)

RS (27.10.2021) 2P 5C