



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.10.2021

CORAM :

WEB COPY

THE HONOURABLE **Mr. JUSTICE G.ILANGO VAN**

CrI.O.P.(MD)No.15482 of 2021

The Commissioner,  
Melur Municipality,  
Madurai District.

... Petitioner/Complainant

Vs.

Prabu

... Respondent/Respondent

**Prayer :** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to number the private complaint filed by petitioner/complainant in file No.6394/2021, dated 25.08.2021 on the file of the Judicial Magistrate, Melur, expeditiously within stipulated time.

For Petitioners : Mr.J.Gunaseelanmuthiah

**ORDER**

This petition has been filed seeking direction to the learned Judicial Magistrate, Melur to number the private complaint that has been presented by the petitioner in file No.6394/2021, dated 25.08.2021.

2.A private complaint has been filed by the petitioner against the respondent herein making charges under Section 124 Schedule IV Rule 30(2) and 36(1) Tamil Nadu District Municipality Act, 1920, on 24.08.2021. It appears that it has been periodically returned by the trial Court, stating one or other reason. For the purpose knowing the reason for the pendency, the petitioner is directed to produce the copy of the 'B' diary extract. In pursuance of which, it has also been produced before this Court. Perusal of the 'B' diary extract shows that it has been repeatedly returned stating one or other reason from 28.06.2021, it has been kept pending. The trial Court can entertain any doubt with regard to the maintainability of the private complaint. He can very well get the argument advanced by the petitioner. Without giving any opportunity of being heard, it is seen that it has been kept pending by adjourning the matter stating check and call on, check and call on, etc.,

3.Considering the facts and circumstances of the case there shall be a direction to the learned Judicial Magistrate, Melur, to process the complaint presented by the petitioner as per Rules,



within a period of one week from the date of receipt of a copy of this order. After processing is over, compliance report must be submitted before this Court.

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

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

TM

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, Melur.

+1 CC to M/s. J. GUNASEELAN MUTHIAH, Advocate ( SR-32295[F] dated 22/10/2021 )

**Crl.O.P. (MD) No.15482 of 2021**  
**21.10.2021**

MGJ/UV(02.11.2021) 2P 3C