



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2022

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVAN**

Crl.O.P.(MD)No.11820 of 2019

and

Crl.M.P(MD) Nos.7428 and 7429 of 2019

K.Sivaraman

... Petitioner

Vs.

Murugeswari

... Respondent

Prayer : Criminal Original Petition filed under Section 487 of the Code of Criminal Procedure, to withdraw and transfer the entire proceedings of M.C.No.1 of 2019 pending before the Judicial Magistrate No.II, Sivakasi, to the Family Court, Madurai, in which HMOP No.707 of 2019 is pending or any other Court at Madurai, Madurai District.

For Petitioner : Mr.K.Sureshkumar

For Respondent : Mr.P.T.Rameshraj

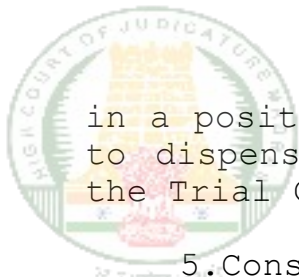
ORDER

The learned counsel for the petitioner seeks permission of this Court to withdraw this petition and made an endorsement to that effect.

2.The learned counsel for the respondent submitted that the maintenance case was filed in the year 2019 and no progress has been made, even though interim maintenance has been passed by the trial court. Now the matter is pending, due to the non co-operation of the petitioner before the trial Court to complete the enquiry process. According to him, a direction may be issued to the concerned court to expedite the enquiry process.

3.Considering the above submission, the learned Judicial Magistrate No.II, Sivakasi, is directed to expedite the enquiry process and complete the enquiry in M.C.No.1 of 2019 within in a period of three months from the date of receipt of a copy of this order.

4.At this juncture, the learned counsel for the petitioner submitted that the petitioner is residing in Chennai and he is not



in a position to appear before the trial court regularly and prayed to dispense with the personal appearance of the petitioner before the Trial Court.

5.Considering the request made by the learned counsel for the petitioner and also considering the position of the petitioner, his personal appearance is dispensed with before the Trial Court, with the following conditions:-

He must appear before the Trial Court within 15 days from the date of receipt of a copy of this order and he shall file an undertaking affidavit that he will appear before the concerned Court as and when required, by affixing attested photo and he must engage a lawyer to represent him.

6.With the above direction, this Criminal Original Petition is dismissed as withdrawn. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2022

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.II,
Sivakasi.

+1 CC to M/s.K.SURESHKUMAR, Advocate (SR-12115[F] dated 15/03/2022)

+1 CC to M/s.P.T.RAMESH RAJA, Advocate (SR-12252[F] dated 15/03/2022)

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SS/04.04.2022 : 2P/4C