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Crl.O.P.No.4998 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.CHANDRASEKHARAN**

Crl.O.P.No.4998 of 2023

H.Sumathi

... Petitioner

Vs.

Harikrishnan

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned III Additional Family Court Judge, Chennai to dispose the execution petition filed under Section 125 (3) r/w. 128 of Cr.P.C. in M.P.No.806 of 2022 dated 08.09.2022 in M.C.No.287 of 2006 within a stipulated period of time as expeditious as possible on merits in accordance with law and thus render justice.

For Petitioner : Mr.R.Krishnamurthy

For Respondent : No appearance

ORDER

This Criminal Original Petition has been filed to direct the learned III Additional Family Court Judge, Chennai to dispose the execution petition filed under Section 125 (3) r/w. 128 of Cr.P.C. in M.P.No.806 of 2022 dated



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08.09.2022 in M.C.No.287 of 2006 within a stipulated period of time.

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2.The learned counsel for the petitioner submitted that petitioner filed M.C.No.287 of 2006 against the respondent. The learned III Additional Family Court Judge, Chennai, directed the respondent to pay a sum of Rs.5000/- to the petitioner and Rs.2000/- each to her children from the date of petition. However, the respondent had not paid the amount. Therefore, petitioner filed M.P.No.806 of 2022 in M.C.No.287 of 2006 under Section 125 (3) read with 128 I.P.C.of Cr.P.C. for recovery of the amount and the petition is still pending for filing counter. Therefore, this petition.

3.In the light of the submission of the learned counsel for the petitioner that though maintenance was awarded to the petitioner on 08.11.2019, till date no maintenance amount was paid, despite filing M.P.No.806 of 2022, this Court directs the learned III Additional Principal Judge, Chennai, to dispose the petition in M.P.No.806 of 2022 in M.C.No.287 of 2006 within a period of four weeks from the date of receipt of copy of this order.



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4. With the above direction and observation, this Criminal Original
Petition is disposed of.

03.03.2023

Internet: Yes
Index: Yes/No
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To:

1. The III Additional Family Court Judge, Chennai
2. The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN, J.
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