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CrI.O.P.No.14036 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2023

CORAM

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

CrI.O.P.No.14036 of 2023

1. Sangeetha

2. Minor Yashika Shree

... Petitioners

Vs.

Rajesh Balachandar

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the V Additional Family Court, Chennai to dispose of the above M.C.No.83 of 2020 on the file of the V Additional Family Court, Chennai within a stipulated time that may be fixed by this Hon'ble Court.

For Petitioners : Mr.K.P.Chandrasekaran

ORDER

This Criminal Original Petition has been filed directing the V Additional Family Court, Chennai to dispose of the above M.C.No.83 of 2020 on the file of the V Additional Family Court, Chennai within a stipulated time.

2. The learned counsel for the petitioner submitted that the petitioner filed a petition under Section 125 (1) Cr.P.C seeking maintenance from the



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respondent for her and for her minor child. The maintenance case is pending from the year 2020 in M.C.No.83 of 2020. So far, no enquiry has been conducted in this case. Even the interim maintenance claimed in M.P.No.316 of 2021 in M.C.No.83 of 2020 is also not disposed of. He further submits that the petitioners find it difficult to live without any money and they are not able to meet out food, medical and other necessary expenses. Therefore, this petition.

3. Section 125 Cr.P.C requires that if the petitioner has filed a petition seeking interim maintenance, that should be disposed of within 60 days from the date of service of notice to the respondent.

4. Therefore, this Court directs the V Additional Family Court, Chennai to dispose of the interim maintenance application in M.P.No.316 of 2021 in M.C.No.83 of 2020, within a period of two weeks from the date of receipt of a copy of this order and then the maintenance case in M.C.No.83 of 2020, within a period of three months thereafter.



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5. With the above directions, this Criminal Original Petition is disposed

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of.

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Index: Yes/No

Speaking/Non speaking order

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G.CHANDRASEKHARAN.J.,

mn

To

The V Additional Family Court, Chennai.

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