



CrI.O.P.No.23766 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2023

CORAM

THE HONOURABLE **MR.JUSTICE M.NIRMAL KUMAR**

CrI.O.P.No.23766 of 2022

S.Vinoth Kannan

... Petitioner

Vs.

1.Mrs.M.Dhivya
2. A.Shanmugam
3. Mrs.S.Vasanthi
4. Mrs.D.Prema

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the Judicial Magistrate Tamabaram to speedy disposal of the D.V.O.P.No.3 of 2019 as expeditiously as possible.

For Petitioner : Mr.S.Ramesh

ORDER

The petitioner/1st respondent in D.V.O.P.No.3 of 2019 has filed this petition seeking for earlier disposal of the case since the case has been pending without any progress from the year 2019.



2. It is submitted by the learned counsel for the petitioner that the petitioner's parents and his sister were harassed to attend the Court without any progress. Due to the matrimonial dispute, the petitioner has filed an application in H.M.O.P.No.74 of 2018 for divorce on the ground of cruelty before the Family Court, Thiruvallur and the same was transferred to Sub Court, Tambaram and re-numbered as 840 of 2018. Thereafter, as a knee jerk reaction to the application for divorce filed by the petitioner, the first respondent herein has initiated proceedings in D.V.O.P.No.3 of 2019 on the file of Judicial Magistrate, Tambaram against the petitioner and his parents and sisters.

3. Further substantiating the same, the petitioner had produced the E-Court adjudication, from which it is seen that from 07.02.2019 the case has been kept pending for one reason or other. In view of the CMP filed by the first respondent seeking some interim relief, the main case has not been progressed.

4. Learned counsel for the petitioner further submits that respondents 2 to 4 are none other than the parents and sister of the petitioner and they have also no objection for speedy disposal of the



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D.V.O.P. No.3 of 2019.

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5. This Court finds that by acceding to the prayer of the petitioner, no prejudice would be caused to the first respondent/wife of the petitioner, hence notice to the first respondent is dispensed with.

6. In view of the above, this Court directs the Judicial Magistrate, Tambaram to complete the case in D.V.O.P.No.3 of 2019 within a period of three months from the date of receipt of a copy of this order.

Accordingly, this Criminal Original Petition is disposed of.

15.06.2023

Index: Yes/No
mp

To

1. The learned Judicial Magistrate,
Tambaram.

2. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

mp

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