



CRP(PD)(MD)No.50 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRP(PD)(MD)No.50 of 2023

Gracy Vijaya

... Petitioner

Vs

Gnanaraj

... Respondent

Prayer: Petition filed under Article 227 of the Constitution of India, to direct the learned Judicial Magistrate Court No.III, Thoothukudi to dispose the Cr.M.P.No.5484 of 2022 in D.V.O.P.No.29 of 2022 pending on the file of the learned Judicial Magistrate Court No.III, Thoothukudi within a time frame fixed by this Court.

For Petitioner : Mr.Henri Patrick Tiphange

ORDER

This Civil Revision Petition is filed to direct the learned Judicial Magistrate Court No.III, Thoothukudi to dispose the Cr.M.P.No.5484 of



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2022 in D.V.O.P.No.29 of 2022 within a time frame fixed by this Court.

2. The learned counsel appearing for the petitioner submits that the petitioner has filed the above D.V.O.P against the respondent, seeking certain reliefs. The allegation as against the respondent is that he has kidnapped the petitioner's daughters on 02.03.2022, for which, the petitioner has filed a complaint before SIPCOT police station, Thoothukudi, in Crime No.88 of 2022 and the same is still pending. Thereafter, the petitioner has filed an application in Cr.M.P.No.5484 of 2022 seeking custody of the children.

3.The learned counsel appearing for the petitioner further submits that though the above application was filed by the petitioner in the month of June 2022, the respondent is dragging on the proceedings by not producing the children for recording evidence and the learned Judicial Magistrate, who is dealing with D.V.O.P No.29 of 2022 is to go on training and if it so then, the incharge judicial magistrate may not

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proceed further with the application and this will also cause further delay. Therefore, the present petition is filed seeking a direction for an early disposal of Cr.M.P pending before the learned Judicial Magistrate Court No.III, Thoothukudi.

4. This Court convinced with the grounds raised by the learned counsel for the petitioner, there shall be a direction to the learned Judicial Magistrate No.III, Thoothukudi, to conclude the proceedings in Cr.M.P.No.5484 of 2022 in D.V.O.P.No.29 of 2022, within a period of six weeks from the date of receipt of a copy of this order.

With the above direction, this Civil Revision Petition is disposed of at the admission stage itself. No costs.

10.01.2023

Index : Yes / No.

Internet : Yes / No.

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(Note :- Issue order copy on 11.01.2023)

To

learned Judicial Magistrate Court No.III,

Thoothukudi

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B.PUGALENDHI, J.

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Order made in
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10.01.2023