



Crl.O.P.(MD) No.16516 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD) No.16516 of 2023

1.R.Shylin

2.R.Rhodesh

3.R.Rinnah

...Petitioners/Petitioners 1 to 3(*)

Vs.

R.Rajesh

...Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Family Court, Kanniyakumari District at Nagercoil to expedite the trial and dispose the case in (*) M.C.No.19 of 2021 on its file within the time frame to be fixed by this Court.

For Petitioners : Ms.D.Ramya

ORDER

This petition is filed seeking for a direction to the Family Court, Kanniyakumari District at Nagercoil to expedite the trial and dispose of the case in (*) M.C.No.19 of 2021 within a time to be stipulated by this Court.



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2.It is submitted by the learned counsel for the petitioners that the 1st petitioner has filed the said case in (*) M.C.No.19 of 2021 along with her children against her husband / the respondent herein, seeking maintenance of Rs.30,000/- (Rupees Thirty Thousand Only) per month to all the petitioners under Section 125 Cr.P.C. However, she has not filed any petition seeking interim maintenance. On account of the pendency of the petition, it becomes very difficult for her to maintain themselves, therefore, she sought for suitable directions.

3.Heard the learned counsel for the petitioners and perused the materials available on record carefully.

4.As per the 'B' diary, the said petition is posted for ex-parte evidence since 18.05.2023. Once the respondent has set ex-parte, the Court should have recorded the ex-parte evidence without giving number of adjournments. In view of the above, this Criminal Original Petition is disposed of, directing the learned Judge of Family Court, Kanniyakumari District at Nagercoil to dispose of the case in (*) M.C.No.19 of 2021 as quickly as possible not later than one month from the date of receipt of a copy of this order. In case if the respondent appears and the ex-parte



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order is set aside, the learned Judge is directed to complete the enquiry and dispose of the same within a period of six months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(CO)

(*)Corrected as per order of this Court dated 09/07/2024 made in CRL.MP(MD)No.6770 of 2024 in CRL.OP(MD)No.16516 of 2023.

Sd/-

Assistant Registrar (CO)

// True Copy //

/07/2024

Sub Assistant Registrar
(CS-I , II , III, IV)

VRN

To

(*)To be substituted to the order already despatched on 20/10/2023

The Judge,
Family Court,
Kanniyakumari District,
Nagercoil



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WEB COPY +1 CC to M/s.D.RAMYA, Advocate (SR-44007[F] dated 21/09/2023)

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RD(16/10/2023) 4P / 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.

SL(31.07.2024)/ 4P/ 4C

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