



Crl.M.P.(MD).No.4033 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Thirtieth day of April Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice K.K. RAMAKRISHNAN

Crl.M.P.(MD).No.4033 of 2024
in
Crl.RC.(MD).No.350 of 2024

R.GUNASEKARA PANDIAN

... PETITIONER/PETITIONER

Vs

1 MAGESHWARI
2 AJITH KUMAR

... RESPONDENTS/RESPONDENTS

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to stay all the proceedings of the order made in M.C No. 143 of 2016 dt. 08.01.2024 on the file of the learned Family court, Madurai pending disposal of the above criminal revision petition.

Prayer in CRL RC(MD). 350/ 2024 :

To call for the records relating to the order made in M.C No. 143 of 2016 dt. 08.01.2024 on the file of the learned Family court Madurai and set aside the same and allow this criminal revision petition.

Order : This Criminal Miscellaneous Petition coming up for orders on this day, upon

<https://www.mhc.tn.gov.in/judis>



Crl.M.P.(MD).No.4033 of 2024

perusing the petition filed in support thereof and upon hearing the arguments of MR.GEORGE PAUL ANTO, Advocate for the Respondents and not appeared for the petitioner either in person or through by an advocate, the court made the following order:-

This Criminal Miscellaneous Petition has been filed to stay all the proceedings of the order made in M.C.No.143 of 2016, dated 08.01.2024, on the file of the Family Court, Madurai.

2. On 03.04.2024, this Court passed the following orders:

This petition has been filed to stay all the proceedings of the order passed in M.C.No.143 of 2016, dated 08.01.2024, on the file of the Family Court, Madurai, pending disposal of the Criminal Revision Case.

2.The learned counsel for the petitioner submitted that on the date of the award passed in M.C.No.143 of 2016, the second respondent, who is the son of the first petitioner and the first respondent, became major and there is no evidence adduced to prove that he is suffering from mental illness. Hence, he seeks stay of the proceedings.

3.Considering the facts and circumstances of the case, this Court is



Crl.M.P.(MD).No.4033 of 2024

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inclined to grant interim stay on condition that the petitioner shall deposit the entire arrears amount of the maintenance pending as of now at the rate of Rs.4,000/- per month on or before 23.04.2024, less the amount already deposited and the petitioner is further directed to pay the monthly maintenance at the rate of Rs.4,000/- per month regularly without fail.

4. Issue notice to the respondents, returnable by 24.04.2024.

5. List this case in 24.04.2024 for “reporting compliance”.

3. Today, when the matter is taken up for hearing, it is reported by the learned counsel for the respondent that there was no compliance on the part of the petitioner. The learned counsel for the petitioner submitted that he has not able to contact with his client, either to verify the compliance of the order or further proceedings of the case.

4. In view of the above, non compliance of the order passed by this Court dated 03.04.2024, this Criminal Miscellaneous Petition stands dismissed.



Crl.M.P.(MD).No.4033 of 2024

5. The learned trial Judge, is directed to proceed with the execution proceedings
as per law.

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sd/-
30/04/2024

/ TRUE COPY /

/06/2024

Sub-Assistant Registrar (CS -I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

sbn
TO
THE JUDGE, FAMILY COURT, MADURAI.

+1 CC to M/s.L.GEORGE PAUL ANTO, Advocate (SR-5212[I] dated 30/04/2024)

ORDER IN
CRL MP(MD) No.4033 of 2024
IN CRL RC(MD) No.350 of 2024
Date :30/04/2024

RK/JGB (07/06/2024) 4P / 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023