



Crl.O.P.(MD)No.14226 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.14226 of 2024

K.Vinoth

... Petitioner

Vs.

K.Shanthi

... Respondent

PRAYER : Criminal Original Petition filed under Section 528 of B.N.S.S., to direct the learned Judge, Family Court, Karur to dispose the case in Crl.M.P.No.96 of 2024 in M.C.No.4 of 2022 on the file of the Family Court, Karur.

For Petitioner : Mr.B.Prasanna Vinoth

ORDER

This Criminal Original Petition has been filed, invoking Section 528 of B.N.S.S., seeking orders, to direct the learned Judge, Family Court, Karur, to dispose the case in Crl.M.P.No.96 of 2024 in M.C.No.4 of 2022 within a time frame fixed by this Court.



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2. Since the petition is filed for early disposal of the case, issuance of notice to the respondent is not necessary.

3. It is not in dispute that the petitioner is the son of the respondent.

4. The learned counsel for the petitioner would submit that the petitioner is a physically challenged person; that the respondent has deserted the petitioner without providing food and shelter and petitioner has filed a maintenance case in M.C.No.4 of 2022 and the same is pending and he has also filed a petition in Crl.M.P.No.96 of 2024 for claiming maintenance and the same is pending and that the respondent has purposely avoided the notice and the case is pending as service awaited stage, due to which, the petitioner is not able to maintain his daily livelihood for his daily expenses and medical expenses. Hence, he was constrained to file the present petition.

5.The High Court has already issued Circulars to the District Judiciary directing the Courts to give priority for the cases relating to the Senior Citizens, HIV affected persons, Defence personnel, women and



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children etc., The petitioner without approaching the trial Court has directly approached this Court. In the absence of total pending particulars and the work burden of that particular Court, this Court is not inclined to give any direction to dispose of the case within the specified period of time.

6. However, the trial Court is required to give priority to the cases, as per the Circulars of the High Court. The petitioner is at liberty to approach the trial Court and if such requisition for early disposal of the case is made, the learned trial Judge is directed to consider the same, in the light of the circulars issued by this Court.

7. With the above observation and direction, this Criminal Original Petition stands disposed of.

29.08.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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K.MURALI SHANKAR,J.

das

To

The Judge, Family Court,
Karur.

Order made in
Crl.O.P.(MD)No.14226 of 2024

Dated: 29.08.2024