



Crl.O.P.(MD)No.16202 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.16202 of 2024

M.Dina Christiana

... Petitioner

Vs.

G.Vimal Abraham

... Respondent

PRAYER : Criminal Original Petition filed under Section 528 of B.N.S.S., to direct the learned Judge, Family Court, Trichy to dispose the trial case in M.C.No.14 of 2023 within the time stipulated by this Court.

For Petitioner : Mr.R.M.Suresh

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, Trichy to dispose the trial case in M.C.No.14 of 2023 within the time stipulated 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. Heard the learned counsel for the petitioner and also perused the records.

4. The learned counsel for the petitioner would submit that the marriage between the petitioner and the respondent was solemnized on 16.09.2021; that thereafter some misunderstanding arose between them and the petitioner has filed a divorce petition before the Family Court, Trichy and the same is pending; that subsequently, the petitioner has filed a maintenance case in M.C. No.14 of 2023 and the same is also pending and that the respondent made appearance on 20.05.2023 and sought time for filing counter, but he has not tuned up and the case is pending from 20.05.2023 for filing counter.

5. The learned counsel for the petitioner would submit that the respondent has *malafide* intention to drag on the proceedings. Hence, he was constrained to file the present petition.

6.The High Court has already issued Circulars to the District Judiciary directing the Courts to give priority for the cases relating to the



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Senior Citizens, HIV affected persons, Defence personnel, women and 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.

7. 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.

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

26.09.2024

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

das

To

The Judge, Family Court,
Trichy.

Order made in
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Dated: 26.09.2024

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