

CrI.O.P.(MD)No. 9537 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.06.2025

CORAM :

**THE HON`BLE MR.JUSTICE B.PUGALENDHI**

CrI.O.P.(MD)No.9537 of 2025

Prasad

... Petitioner

Vs.

1. Vijayalakshmi

2.Tharun

(Minor represented by his mother and  
Natural Guardian 1<sup>st</sup> respondent herein)

... Respondents

**Prayer :** Criminal Original Petition filed under Section 528 BNSS, to call for the records and set aside the order passed in M.P.No.7 of 2025 in M.C.No.30 of 2021, vide order, dated 20.03.2025 on the file of the Family Court, Thoothukudi and to allow the reopen petition.

For Petitioner

: Mr. R. Ponkarthikeyan

### **ORDER**

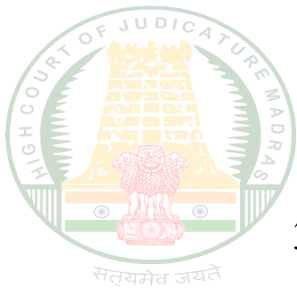
The petitioner, who is respondent in M.C.No.30 of 2021, has filed a petition in M.P.No.7 of 2025 in M.C.No.30 of 2021 before the Family



CrI.O.P.(MD)No. 9537 of 2025

WEB COURT, Thoothukudi to reopen the case for the purpose of examination of his Manager as witness and the same was dismissed, vide order, dated 20.03.2025 . Challenging the same, the present petition has been filed.

2.The maintenance case was initiated in the year 2021. There is no date available as to when the evidence of the petitioner herein in the maintenance proceedings was closed. From the reading of the order it appears that the petitioner, in the maintenance application, was also provided several opportunity to adduce his evidence. He has adduced his evidence and also made a request time to produce additional evidence. He was also provided opportunity to adduce his evidence on 18.01.2025. Thereafter, the evidence was closed and the case was posted for arguments on 24.01.2025. When the case was posted on 01.03.2025, for arguments of the petitioner herein, the above said petition came to be filed to reopen his evidence for the purpose of examination of his Manager as witness on his side. The said petition has been dismissed by the trial Court stating that the same has been filed only in order to drag on the proceedings.



CrI.O.P.(MD)No. 9537 of 2025

WEB COPY

3.Considering the manner in which the maintenance proceedings has been prolonged for five years, this Court is not inclined to entertain this petition. Accordingly, this criminal original petition is dismissed.

**09.06.2025**

NCC : Yes/No

Index : Yes/No

Internet:Yes

gns

To

The Family Court, Thoothukudi



WEB COPY



CrI.O.P.(MD)No. 9537 of 2025

**B.PUGALENDHI,J**

gns

CrI.O.P.(MD)No.9537 of 2025

09.06.2025