



Crl.O.P.No.4469 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.4469 of 2026

Kala @ Kalavathi

... Petitioner

Vs.

Sivalingam

... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to direct the learned District Munsif-cum-Judicial Magistrate, Pennagaram, Dharmapuri District, to conduct the trial of the case in M.C.No.4 of 2025 and to complete the proceedings.

For Petitioner : Mr.T.Balachandran

ORDER

This Criminal Original Petition has been filed by the petitioner seeking expeditious disposal of M.C.No.4 of 2025 pending on the file of the District Munsif-cum-Judicial Magistrate Court, Pennagaram, Dharmapuri District, within a stipulated time.



2. Learned counsel appearing for the petitioner submitted that the petitioner has filed a case in M.C.No.4 of 2025 before the District Munsif-cum-Judicial Magistrate Court, Pennagaram, Dharmapuri District, against the respondent. He further submitted that both the petitioner and the respondent are senior citizens and that the petitioner is suffering from cancer. Therefore, the learned counsel appearing for the petitioner prayed for the indulgence of this Court to direct early disposal of the case.

3. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

4. It is pertinent to state that a Constitution Bench of the Hon'ble Supreme Court, in the case of ***High Court Bar Association, Allahabad vs. State of Uttar Pradesh*** reported in (2024) 6 SCC 267, has held that the constitutional courts, in the ordinary course, should refrain from fixing a time-bound schedule for the disposal of cases pending before any other court. The relevant portion of the said decision for the sake of ready reference is reproduced below:

"47.3. Constitutional courts, in the ordinary course, should refrain from fixing a time-bound schedule for the disposal of cases pending before any other courts."



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Constitutional courts may issue directions for the time-bound disposal of cases only in exceptional circumstances. The issue of prioritising the disposal of cases should be best left to the decision of the courts concerned where the cases are pending.
(emphasis supplied by this Court).

5. It has also been held in the aforesaid extracted portion that in exceptional circumstances, constitutional courts may issue directions for time bound disposal of cases.

6. Considering the fact that the petitioner is a septuagenarian undergoing treatment for cancer which, in the opinion of this Court, is an exceptional circumstance, this Court directs the learned District Munsif-cum-Judicial Magistrate, Pennagaram, Dharmapuri District, to dispose of the case in M.C.No.4 of 2025, as expeditiously as possible, preferably within a period of **six months** from the date of receipt of a copy of this order.

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

24.02.2026

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Neutral Citation: Yes/No

To : The District Munsif-cum-Judicial Magistrate,
Pennagaram, Dharmapuri District.

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A.D.JAGADISH CHANDIRA, J.

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