



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2026

CORAM

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

CRL OP No. 4728 of 2026

1. T.Priyanka
2. Minor Dhaneeyasri
(Represented by her mother natural guardian
Priyanka/1st petitioner)

..Petitioners

Vs

J.Tamil Azhagan

..Respondents

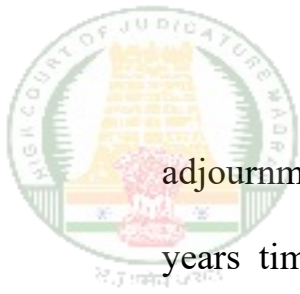
Criminal Original Petition is filed under Section 528 of BNSS, 2023 to direct the learned Family Court at Vellore, Vellore District to complete the trial in M.C. No.74 of 2021 within the stipulated time prescribed by this Court.

For Petitioners : Mr.C.S.Saravanan

ORDER

This criminal original petition has been filed by the petitioner seeking expeditious disposal of M.C.No.74 of 2021 pending on the file of the Family Court at Vellore, Vellore District, within a stipulated time.

2. Learned counsel appearing for the petitioners submitted that the first petitioner has filed a petition in M.C.No.74 of 2021 seeking maintenance for herself and for her minor daughter. Though the case has been filed in the year 2021, the respondent, who is a Head Constable, has been repeatedly taking



adjournments and hence, the case could not be disposed of, despite lapse of four years time. He further submitted that the petitioners are suffering without means and hence, this petition has been filed.

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

4. It is pertinent to state that a Constitution Bench of the 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. 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 facts and circumstances of this case and also considering that the case is of the year 2021 and the same has been pending for the past five years, which, in the opinion of this Court is an exceptional circumstance, this Court directs the learned Judge, Family Court at Vellore, Vellore District, to dispose of the case in M.C.No.74 of 2021, 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.

26-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

SRM

To

The Family Judge at Vellore,
Vellore District,.



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A.D.JAGADISH CHANDIRA, J.

SRM

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