

IN THE COURT OF THE JUDICIAL MAGISTRATE, GUDIYATHAM

Present: **Dr. J.Stalin, M.L.,Ph.D.,**
Judicial Magistrate,
Gudiyatham.

On Monday this the 09th day of September 2024

C.M.P.No. 701/2023

in

MC.No. 27/2012

M. Revathi @ Vendamani,
W/o. Venkatesan,
Naagal Road,
Railway Station Road,
Gudiyatham.

. . . Petitioner

// Vs //

S. Venkatesan,
S/o. SamuYadav,
Kollimedu,
Perumalpettai Village & Post,
Vaniyambadi Taluk,
Tirupattur District.

. . . Respondent

This petition is coming today for final hearing in the presence of Mr.S.Sambathkumar, B.A.,B.L., Mr.S.Subramaniasiva, M.L., and Mr.V.Vadivel, B.A.,B.L., Counsels for petitioner and the respondent called absent set exparte and upon consideration, this court delivered the following.

ORDER

This petition filed U/s.125(3) CrPC to recovery of Rs.49,500/- due from the respondent to the petitioner.

Petitioner absent, Respondent absent. On perusal of record a sum of Rs.4500/- per month was ordered on 18.10.2019. From this date, the respondent has not complied the order of this court. On perusal of record, this order has not been set-a-side till date. At this stage, the respondent has burden to obey the order of this court. But he has failed to do so. This shows that he has deliberately disobeyed the order of maintenance. In the circumstances, in respect of execution of this order, the attachment of property or salary of respondent is necessary. Hence, this petition seeking distraint warrant is deserves to be allowed. In result, this petition is allowed, issue distraint warrant by 09.10.2024. Process in 3 days. Call on 09.10.2024.

Pronounced by me in open court on this 04th day of September 2024.

Sd/- Dr.J.Stalin, M.L.,Ph.D.,
Judicial Magistrate,
Gudiyatham.