

In Re: Narra Padmavathamma

In Re: Narra Padmavathamma

SooperKanoon Citation : sooperkanoon.com/779970

Court : Chennai

Decided On : Jul-19-1946

Reported in : (1946)2MLJ271

Appellant : In Re: Narra Padmavathamma

Judgement :

ORDER

Yahya Ali, J.

1. This application is to revise an order made by the Joint Magistrate of Chendragiri making absolute a preliminary order under Section 133 of the Code of Criminal Procedure.
2. I am satisfied that sufficient opportunity was not given to the petitioner to show cause against the confirmation of the preliminary order. She is a lady who observes purdha and the notice itself had been served on her agent who promptly applied for time on the ground that notice was too short. In spite of it the application for time was refused and the preliminary order was made absolute. In a matter like this it is essential that the party aggrieved should have sufficient opportunity to meet the charge.
3. The order in M. C. No. 50 of 1945, dated 27th September, 1945, is set aside and the joint Magistrate is directed to issue a fresh notice to the petitioner giving her sufficient time and opportunity to meet the case. All proceedings which have

been issued on the footing of the order which has been now set aside will stand vacated.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com