



C.R.P.(MD) No.1648 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2023

CORAM

THE HON'BLE **MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI**

C.R.P.(MD) No.1648 of 2023

J.Arockia Raj

... Petitioner

Vs.

Linju

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the Family Court, Nagercoil to complete the trial in IDOP No. 26 of 2020 expeditiously and conclude the same within a time frame as fixed by this Court.

For Petitioner : Mr.S.Ramakrishnan

ORDER

This Civil Revision Petition is preferred by the petitioner/husband for early disposal of I.D.O.P.No.26 of 2020 on the file of the Family Court, Nagercoil within a time to be fixed by this Court. Since the present Civil Revision Petition has been preferred only for early disposal of I.D.O.P., the notice for the respondent is dispensed with.



C.R.P.(MD) No.1648 of 2023

2. The petitioner/husband has preferred a divorce petition against the respondent/wife, under Section 10(x)(ix) of the Indian Christian Marriage Act, 1872 in I.D.O.P.No.26 of 2020 before the Family Court, Nagercoil. The respondent entered appearance and filed counter affidavit on 23.02.2021.

3. According to the petitioner/husband, after the counter affidavit was filed by the respondent/wife on 23.02.2021, the Family Court, Nagercoil has not proceed further to hear the matter. It is submitted that both the petitioner/husband and respondent/wife are working in abroad and the divorce petition is now proceeded by the parents of the petitioner/husband and the respondent/wife, based on the power of attorney and therefore, the present Civil Revision Petition is preferred by the petitioner/husband for early disposal of I.D.O.P.No.26 of 2020.

4. On perusal of the records, it is seen that several adjournments were given by the Family Court, Nagercoil without any valid reasons. Therefore, considering the facts and circumstances of the case and considering the great hardship caused to the petitioner/husband, the learned Judge, Family Court, Nagercoil is directed to dispose I.D.O.P.No.26 of 2020 on merits and in accordance with law, without giving any unnecessary adjournments, by



C.R.P.(MD) No.1648 of 2023

affording sufficient opportunity to the parties to put forth their contentions, expeditiously, within a period of six months from the date of receipt of a copy of this order.

5. Accordingly, this Civil Revision Petition is disposed of. No cost.

12.07.2023

NCC :Yes/No
Internet: Yes/No
Index: Yes/No
jen

To

The Judge,
Family Court,
Nagercoil.



WEB COPY



C.R.P.(MD) No.1648 of 2023

K.GOVINDARAJAN THILAKAVADI, J.

jen

C.R.P.(MD) No.1648 of 2023

12.07.2023