



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2015

CORAM:

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

C.R.P. (MD) .No.580 of 2015 (PD)

V.Vijayakumar ... Revision Petitioner/Petitioner

vs.

V.S.Girija Kumari ... Respondent/Respondent

PRAYER: This Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned Subordinate Judge, Padmanabhapuram to dispose of the petition in H.M.O.P.No.18 of 2013 pending on the file of the Sub-Court, Padmanabhapuram within a time fixed by this Court.

For Petitioners : Mr.V.George Raja for Mr.R.Murugan

O R D E R

In a matrimonial dispute, H.M.O.P.No.18 of 2013 was filed by the husband for divorce. The counter was also filed immediately. An I.A was filed for claiming maintenance by the wife, which was also allowed and the revision petitioner/husband submits that he has been paying maintenance amount without default.

2.No notice is necessary to the respondent as this Court intends to direct the trial Court to dispose of the suit at the earliest and it would not cause any prejudice to the respondent.

3.From the 'B' diary it is evident that the trial has commenced on 19.09.2014. However, for the cross examination of P.W.1, it has been adjourned till today and the matter has been posted on 27.03.2015.

4.Time and again, the Supreme Court has also held that where the trial has commenced, it has to be completed on day to day basis and the arguments should be followed. But the Subordinate Court, Padmanabhapuram has been granting a months time for each adjournment. Hence, this Court is inclined to direct the Subordinate Court, Padmanabhapuram to dispose of H.M.O.P.No.18 of 2013 by taking it on day to day basis and dispose of the same on merits and in accordance with law, or before 30.06.2015. The parties are directed to co-operate with the trial.



With the above direction, the civil revision petition is disposed of. No costs.

Sd/-

Assistant Registrar(C.O.,)

WEB COPY

/True Copy/

Sub-Assistant Registrar

To

The Subordinate Judge, Padmanabhapuram.

+1cc to Mr.R.Murugan, Advocate, in SR. No.14111.

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