

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2016

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

C.R.P.(PD)No.1839 of 2016

Anand Gopal

... Petitioner

v.

Gayathri

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the II Additional Family Court Judge at Chennai, to dispose of the O.P.No.4331 of 2011 in a time bound manner.

For Petitioner : Mr.K.Thiruvengadam_

ORDER

The petitioner, who is the husband of the respondent, has filed the above Civil Revision Petition to direct the II Additional Judge, Family Court, Chennai, to dispose of the Original Petition in O.P.No.4331 of 2011, within a stipulated time.

2. The petitioner filed the Original Petition in O.P.No.4331 of 2011 for divorce on the ground of cruelty.

3. The respondent entered appearance and filed her counter and is contesting the Original Petition.

4. The learned counsel appearing for the revision petitioner submitted that though the Original Petition was filed in the year 2011, the Family Court has not disposed of the same yet. The learned counsel further submitted that the trial of the Original Petition has already commenced. That apart, the learned counsel submitted that in view of the long pendency of the matter, the petitioner is put to hardship and prejudice.

5. The learned counsel also submitted that the respondent-wife had also filed Original Petition in O.P.No.1248 of 2012 for restitution of conjugal rights, which is also pending before the II Additional Judge, Family Court, Chennai, Hence, the learned counsel submitted that the Family Court may be directed to dispose of both the Original Petitions together.

6. Having regard to the submission made by the learned counsel appearing for the revision petitioner and also taking into consideration the limited prayer sought for in the Civil Revision Petition, without expressing

any opinion with regard to the merits of the case, I direct the II Additional Judge, Family Court, Chennai to dispose of both the Original Petitions in O.P.Nos.4331 of 2011 and 1248 of 2012, on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

With this observation, the Civil Revision Petition is disposed of. No costs.

23.06.2016

Index : Yes/No

Rj

To

The II Additional Judge,
Family Court,
Chennai

M. DURAISWAMY,J.,

Rj

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