

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Civil Revision Petition (PD) No.251 of 2016

Dhev Anand

... Petitioner

vs

P.Aswni

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India praying to issue a direction to the Additional Family Court, Coimbatore to dispose of H.M.O.P.No.856 of 2013 within a stipulated time along with the connected HMOP.No.496 of 2013 pending on the file of the same.

For Petitioner	:	Mr.A.Muthukumar
For Respondent	:	M/s.Sunanda Suren

ORDER

This revision seeks a direction to the Additional Family Court, Coimbatore to dispose of H.M.O.P.No.856 of 2013 within a stipulated time along with the connected HMOP.No.496 of 2013.

2. Heard learned counsel for petitioner.

3. Learned counsel for petitioner submits that the petitioner is an anesthetist and his services are required at Tirunelveli each and every day. Petitioner has filed HMOP.No.158 of 2012 on the file of Sub court, Uthampalayam, seeking dissolution of marriage and the respondent/wife filed Transfer CMP.No.253 of 2013 before this court to transfer HMOP.No.158 of 2012 from the file of Sub Court, Uthamapalayam to the file of Family Court, Coimbatore. The said petition was allowed by this court and consequently, HMOP.No.158 of 2012 was renumbered as HMOP.No.856 of 2013 and the respondent/wife filed HMOP.No.496 of 2013 on the file of the Principal Family Court, Coimbatore, seeking restitution of conjugal rights. Submitting that there is much delay in the conduct of proceedings, which would cause the petitioner grave inconvenience, learned counsel prays for early disposal of the cases.

4. Learned counsel for respondent submits that on one occasion an order of transfer came to be passed at the instance of the respondent/wife, but the petitioner/husband himself delayed the proceedings by filing further transfer petition before this Court which was dismissed. Now the case is seeing regular progress and there is no necessity to direct the court below to take up the case at the earliest.

5. Considering the rival submissions, this Court directs the Additional Family Court, Coimbatore to dispose of the HMOP.No.856 of 2013 along with HMOP.No.496 of 2013 as expeditiously as possible. The court below shall not insist upon the presence of the petitioner/husband except on important hearing dates.

The Civil Revision Petition is disposed of with the above direction. No costs.

01.08.2016

Index:yes/no

Internet:yes

kkd

Note: Issue order copy on 26.08.2016.

To

The Additional Family Court,
Coimbatore.

C.T.SELVAM, J

kkd

Civil Revision Petition (PD) No.251 of 2016

01.08.2016