

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2016

CORAM

THE HONOURABLE Mr.JUSTICE K.K.SASIDHARAN

CRP (PD) No.2581 of 2016

D.Vidhya

.. Petitioner

Vs

R.Saravanakumar

.. Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the fair and decretal order dated 01.02.2016 passed in I.A.No.39 of 2015 in HMOP.No.90 of 2014 on the file of the Subordinate Court, Harur.

For Petitioner : Mr.R.Neelakandan
For Respondent : Mr.R.Jayaprakash

ORDER

The respondent filed an application under Section 10 r/w 151 of the Civil Procedure Code for stay of all further proceedings in HMOP.No.90 of 2014 on the file of Sub Court at Harur, on account of pendency of the earlier divorce proceedings in FCOP.No.71 of 2014, which was later renumbered as HMOP.No.95 of 2015 on the file of Sub Court, Harur. The learned Subordinate Judge, Harur has allowed the said application. Feeling aggrieved, the petitioner is before this Court.

2. After hearing the counsel for the petitioner and respondent at length, it was suggested to the learned counsels as to whether the parties would be satisfied, in case the proceedings in HMOP.No.90 of 2014 is directed to be taken up along with HMOP.No.95 of 2015.

3. The learned counsels have agreed for such a course and only wanted fixation of outer time for disposal.

4. In view of the submissions made by the counsels and taking into account the background facts, the order dated 01.02.2016 in I.A.No.39 of 2015 is set aside.

5. The learned Subordinate Judge, Harur is directed to take up the proceedings in HMOP No.90 of 2014 and HMOP.No.95 of 2015 together and dispose of the same on merits and in accordance with law as expeditiously as possible, and in any case, within a period of six months from the date of receipt of a copy of this order.

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

22.09.2016

ds

K.K.SASIDHARAN,J
ds

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