

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2017

CORAM

THE HONOURABLE Ms. JUSTICE V.M.VELUMANI

CRP (PD) No.1251 of 2017

L.Giridharan

.. Petitioner

Vs

S.Mythili @ Malini

.. Respondent

Prayer:- Civil Revision Petition filed under Section 227 of the Constitution of India, to direct the I Additional Family Court, Chennai to dispose of HMOP.No.2312 of 2016 expeditiously.

For Petitioner : Mr.S.Thiruvengadam

ORDER

The petitioner has filed this Civil Revision Petition seeking for a direction to the learned I Additional Family Judge, Chennai, to dispose of HMOP.No.2312 of 2016 expeditiously.

2. The petitioner-husband filed HMOP.No.397 of 2014 for divorce against the respondent-wife before the Sub Court, Poonamallee and the same was transferred to I Additional Principal Family Court, Chennai, and re-numbered as H.M.O.P.No.2312 of 2016.

3. The petitioner and respondent got married on 01.09.2011.

Due to the dispute that arose between them, they are living separately. The petitioner filed the said divorce petition in the year 2014, but the respondent has not chosen to appear before the I Additional Family Court, Chennai and she has not even filed the counter affidavit.

4. The respondent-wife filed a maintenance petition in M.C.No.425 of 2014 before the Family Court, Chennai and the petitioner-husband filed a counter to the maintenance petition on 25.04.2016, but till date, the enquiry has not been completed and the maintenance petition is still pending.

5. It is submitted by the petitioner that the respondent-wife has not filed any counter in HMOP petition and she is not even appearing before the trial Court to prosecute the case, and therefore, the case has been adjourned on several occasions, due to which, the petitioner-husband is put to hardship. Hence, the petitioner has filed the present Civil Revision Petition praying to direct the Court below to dispose of HMOP.No.2312 of 2016 expeditiously.

6. This Court, considering the submissions made by the learned counsel for the petitioner, hereby directs the learned I Additional Principal Judge, Family Court, Chennai, to dispose of the petition in HMOP.No.2312 of 2016, as expeditiously as possible, in any event not later than 31st July 2017.

7. With the above direction this Civil Revision Petition is allowed.

No costs.

05.04.2017

ds

To:

The I Additional Family Court,
Chennai.

V.M.VELUMANI,J

ds

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