

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2017

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P.(PD)No.1998 of 2017

R.Aishwarya

.. Petitioner

Vs.

N.Shankar

.. Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the III Additional Family Court, Chennai, to expedite and conclude the trial in F.C.O.P.No.1952 of 2015 pending before III Additional Family Court, Chennai, within the time stipulated by this Court.

For Petitioner : Mr.J.Karuppaiah

ORDER

This Civil Revision Petition has been filed seeking a direction to the III Additional Family Court, Chennai, to expedite and conclude the trial in F.C.O.P.No.1952 of 2015 pending on its file, within the time stipulated by this Court.

2. The petitioner is the wife and respondent is the husband.
The marriage between the petitioner and respondent was conducted

on 12.09.2014 as per Hindu rites and customs. From the date of marriage onwards, the respondent has not shown any interest with the petitioner. On 25.01.2015, the petitioner was driven out of the matrimonial home by the respondent at the instance of his mother and brother. Therefore, the petitioner filed F.C.O.P.No.1952 of 2015 under Section 12(1)(a) of the Hindu Marriage Act, against the respondent, to declare the marriage as null and void. In the said F.C.O.P., the respondent filed counter statement. Trial Commenced. The petitioner filed proof affidavit and marked documents. The respondent cross examined the petitioner and subsequently, the F.C.O.P. was posted for evidence on behalf of the respondent. At that time, the respondent did not appear before the I Additional Family Court, Chennai. Thereafter, the respondent filed a petition for transfer the case in F.C.O.P.No.1952 of 2015 from the file of the I Additional Family Court, Chennai, to III Additional Family Court, Chennai and in the said petition, the petitioner has endorsed that she has no objection to transfer the case. The said transfer petition was allowed. Even thereafter, the respondent did not appear before the Court and let in any evidence. The said F.C.O.P.No.1952 of 2015 is pending without any progress. The petitioner is residing in London and now she has come down to India. In the circumstance, the

petitioner has come out with this civil revision petition for early disposal of the said F.C.O.P.No.

3. Heard the learned counsel for the petitioner.

4. Having regard to the submissions made by the learned counsel for the petitioner, considering the limited prayer sought for in the civil revision petition, without expressing any opinion with regard to the merits of the matter, I direct the III Additional Family Court, Chennai, to dispose F.C.O.P.No.1952 of 2015 on merits and in accordance with law, as expeditiously as possible, in any event, not later than two months from the date of receipt of a copy of this order.

5. The Civil Revision Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

23.06.2017

Index : Yes/No

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V.M.VELUMANI, J.

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To

The III Additional Family Court, Chennai.

C.R.P.(PD)No.1998 of 2017

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