

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2017

C O R A M

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

C.R.P.(PD) No.2258 OF 2017

D.Mohana Subramaniam @ D.Mohana ... Petitioner

Vs.

G.Subramanian @ G.Balasubramaniam ... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to direct the trial Court by fixing a time frame to complete the trial in FCOP No.2560 of 2011 pending on the file of III Additional Family Court, Chennai.

For Petitioner : Mr.C.Rajan
For Respondent : Mr.

ORDER

The petitioner/wife has filed the petition for divorce under Section 13(1)(a) and 13(1)(b) of the Hindu Marriage Act, 1955, and custody of children before the Family Court, Chennai.

2. The matter was numbered as FCOP No.2560 of 2011, dated 21.07.2011. The matter was sent for mediation on various dates.

It appears that the mediation did not succeed and the matter was again posted before the Court on 11.12.2014. Periodically, it was adjourned for enquiry for about 15 hearings and finally on 26.08.2016, it was posted for filing of proof affidavit and marking the documents and on 29.09.2016, proof affidavit was filed and documents viz., Ex.P1 to Ex.P6 were marked and posted for cross-examination of PW1 on 17.11.2016. On 01.12.2016, PW1 was cross examined and after that it has been adjourned. The same status continued and the matter was posted on 01.04.2017.

3. The learned counsel for the petitioner would submit that no progress has been made till now. Eventhough, the petitioner was present on all hearings, the proceedings did not reach finality. Therefore, the present Civil Revision Petition has been filed for early disposal of original petition.

4. Considering the prolonged litigation and the fact that there is no progress in the petition, a direction is issued to the III Additional Family Court, Chennai to conduct the proceedings in FCOP No.2560 of 2011 within a period of three months from the date of receipt

of copy of this order.

5. With this direction, this Civil Revision Petition is allowed.

No costs.

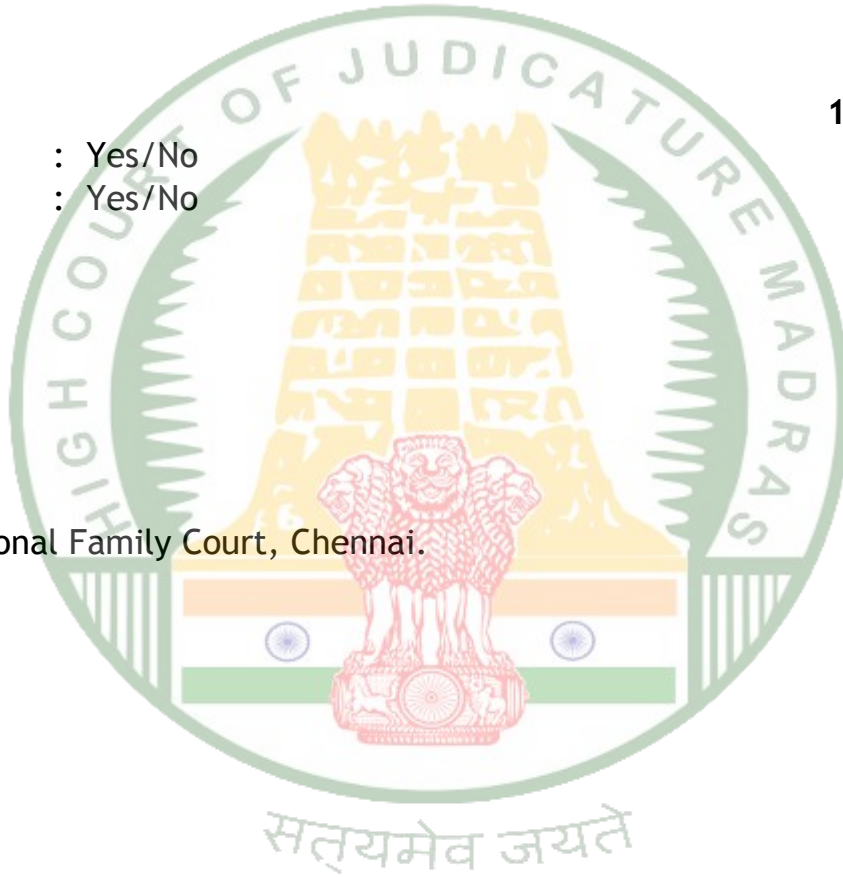
14.07.2017

Index : Yes/No
Internet : Yes/No

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To

III Additional Family Court, Chennai.



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M. GOVINDARAJ, J.

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