

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.2304 OF 2017

S.Kumaresan ... Petitioner

Vs.

Sarala ... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to dispose the FCOP No.1264 of 2014 within a stipulated time pending before the I Additional Family court, Chennai.

For Petitioner : Mr.K.Balasubramanian

ORDER

The petitioner/husband has filed the Original Petition for divorce under Section 13(1)(a) of the Hindu Marriage Act, 1955. The matter is pending before the Court from 23.05.2014. It appears that the respondent/wife has also filed the original petition in O.P.No.2245 of 2013 for restitution of conjugal rights.

2. Considering the dispute between the husband and wife, the Family court has taken up both the matters on 20.08.2016 and ordered for joint trial and proof of affidavit was filed and the matter was adjourned to 26.09.2016 for marking of documents. Again when the matter was taken up on 26.09.2016, both the parties were absent and hence, the matter was ordered to be listed on 04.11.2016 for marking of documents. Thereafter, the wife was absent for three hearings and on 09.01.2017, both the parties were present but the case was adjourned to 13.02.2017 for marking of documents on the side of the respondent/wife.

3. The learned counsel for the petitioner submits that the delay was caused by the respondent and prays for early disposal of the cases before the I Additional Family Court, Chennai.

4. The matter is pending for the past three years. In matrimonial cases, it is always better to resolve the cases at the earliest. Delay will defeat the ends of justice. Parties shall not be driven to take decision out of frustration.

5. Considering the facts and circumstance of the case, a direction is given to the I Additional Family Court, Chennai to dispose of the matter as expeditiously as possible.

6. With this observation, this Civil Revision Petition is disposed of. No costs.

14.07.2017

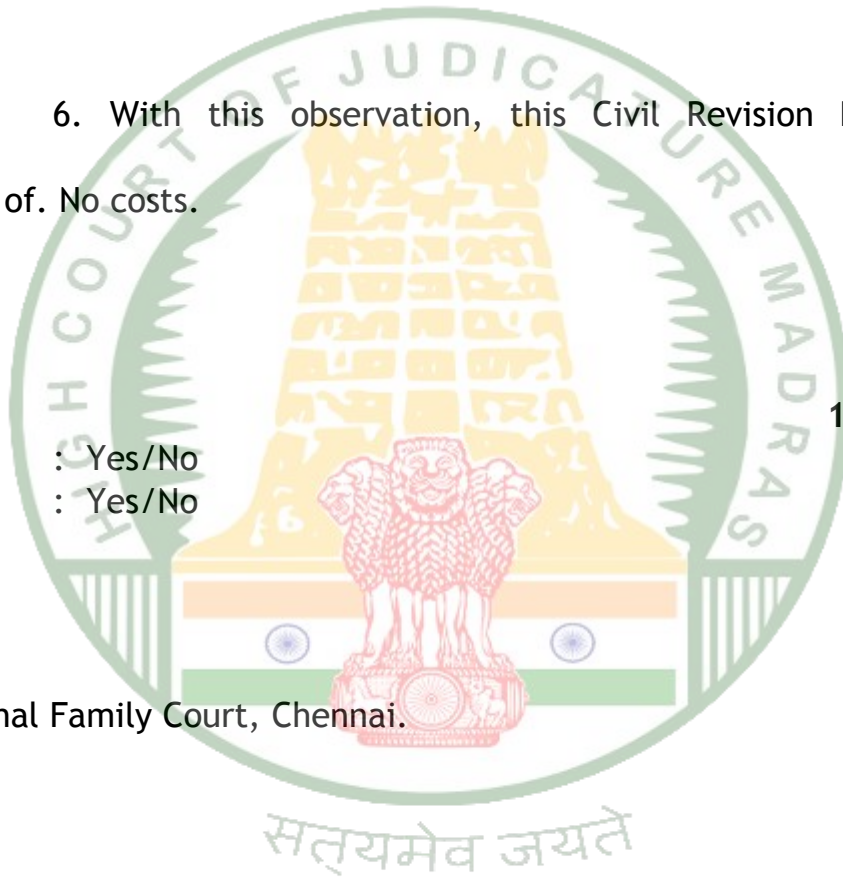
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To

I Additional Family Court, Chennai.



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M. GOVINDARAJ, J.

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