

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.10.2017

CORAM

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

C.R.P. No.3730 of 2017

H.Senguttuvan

.. Petitioner

Vs

Bharathi

.. Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India praying to issue direction to the Principal Subordinate Judge, Mayiladuthurai to dispose of the HMOP.No.95 of 2015 within a stipulated time.

For Petitioner : Mr.P.Krishnan

For Respondent : No appearance

ORDER

This Civil Revision Petition is filed to issue direction to the Principal Subordinate Judge, Mayiladuthurai to dispose of the HMOP.No.95 of 2015 within a stipulated time.

2. The learned counsel for the petitioner submitted that the petitioner filed the Guardian OP.345 of 2012 on the file of the Puducherry District Court for the custody of minor children and also filed HMOP No.95 of 2015 before the Principal Subordinate Judge, Mayiladuthurai for dissolution of marriage. Notice in the said HMOP has been served to the respondent herein but in spite of several adjournments the respondent has filed the counter affidavit only on 13.12.2016. Thereafter, plaintiff side was examined and the case was posted for cross examination of PW1. On the request of the respondent side, the OP has been adjourned from time to time. The petitioner filed application in I.A.No.1242 of 2013 to advance hearing date in the said petition and the same is pending. Since respondent has delayed the proceedings, the petitioner has filed this Civil Revision Petition before this Court for the aforesaid prayer.

3. Having heard the submissions of the learned counsel for the petitioner and also on going through the records, it is seen that PW1 was examined and proof affidavit was filed by PW1 on 17.08.2016 and therefore the case in HMOP was posted on 18.02.2017 for cross examination of PW1. The said OP has been

adjourned from time to time. The petitioner also filed an application to advance the hearing. Inspite of that no order has been passed in the advance hearing petition. By considering the aforesaid facts of the case, this Court is inclined to pass the following orders:-

a) The learned Principal Subordinate Judge, Mayiladuthurai is directed to dispose of the HMOP No.95 of 2015 as expeditiously as possible within a period of six months from the date of receipt of a copy of this order, if there is no other impediment.

4. With the above direction this civil revision petition is disposed of. No costs.

Sd/-
Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

dpq

To

The learned Principal Subordinate Judge,
Mayiladuthurai.

+lcc to Mr.P.Krishnan, Advocate in sr.no.72707

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NRI (CO)
NR 10/11/2017

सत्यमेव जयते

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