

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2017

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

C.R.P.(PD).No.43 of 2017

Mr.G.P.Bhaskar

.. Petitioner

Vs.

Mrs.B.Shobana

.. Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India praying to direct the First Additional Family Court, Chennai, to dispose of H.M.O.P.No.2726 of 2013 expeditiously.

For petitioner : Ms.V.Nivedhitha for M/s.S.Thiruvengadam

ORDER

This revision petition is filed seeking direction to the First Additional Family Court, Chennai, to dispose of the matrimonial O.P. filed in the year 2013.

2. The revision petitioner who is the husband, has filed H.M.O.P.No.2726 of 2013 for divorce against the respondent-wife. Though the respondent had appeared before the Court, the O.P. had been adjourned for counselling periodically for more than a year. When the

counselling failed, the matter was posted before Court. The respondent has not filed counter affidavit and has been dragging on the same. It is stated by the learned counsel for the petitioner that even till today, the counter affidavit has not been filed. The learned Family Judge has also raised a warning in the docket, dated 30.04.2016 that if the counter affidavit is not filed, further orders will be passed. However, in the meantime, the wife seems to have filed I.A.No.1571 of 2016 claiming interim maintenance, in which, the revision petitioner has filed counter affidavit. Now, both the main O.P. and I.A. for maintenance are pending before the Court without any progress. The attitude of the respondent having filed I.A. for maintenance after three years of the filing of the main O.P., indicates that she has got intention to proceed with the main case, but only to drag on the same. In such situation, the learned First Additional Judge, Family Court, Chennai, is directed to proceed with the matter and dispose of the main O.P. in H.M.O.P.No.2726 of 2013, on or before 31.03.2017 and report to this Court.

3. With the above direction, the Civil Revision Petition is disposed of.  
No costs.

11.01.2017

CS

Copy to

The First Additional Judge,  
Family Court, Chennai.

PUSHPA SATHYANARAYANA, J

CS

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