



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2017

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

CRP(PD) (MD) Nos.1774 and 1776 of 2017

In C.R.P. (MD) No.1774 of 2017:

A.Joseph Charles ... Petitioner

Vs.

1.J.Sakthi Devi @ Christy Prescilla

2.Minor J.Gabriel Maria Nova

3.Minor J.Isaac

(Minors R2 & R3 are represented by
their mother 1st respondent)

... Respondents/Respondents

In C.R.P. (MD) No.1776 of 2017:

A.Joseph Charles ... Petitioner

Vs.

J.Sakthi Devi @ Christy Prescilla

... Respondent

PRAYER in C.R.P. (PD) (MD) No.1774 of 2017: Petition filed under Article 227 of the Constitution of India, to expeditious disposal of the petition in M.C.No.100 of 2014 filed by the respondents herein, pending on the file of the learned Family Court Judge, Madurai, within time frame as may be fixed by this Court.

PRAYER in C.R.P. (PD) (MD) No.1776 of 2017: Petition filed under Article 227 of the Constitution of India, to expeditious disposal of the petition in I.D.O.P.No.86 of 2014 pending on the file of the learned Family Court Judge, Madurai, within time frame as may be fixed by this Court.

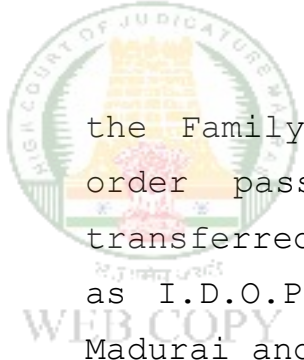
**C O M M O N O R D E R**

The Civil Revision Petitions have been filed seeking expeditious disposal of the petitions in M.C.No.100 of 2014 and I.D.O.P.No.86 of 2014 pending on the file of the learned Family Court Judge, Madurai, within time frame as may be fixed by this Court.

2. The petitioner would aver among other things that the marriage between the petitioner and the respondent was solemnized on 23.08.2009. They started their matrimonial life at Coimbatore, which is the parental house of the petitioner. The petitioner has assisted his father's business. The petitioner submits that the respondent was treated with love and affection and provided the sophisticated and luxurious life. While so, the respondent begot a male child on 10.07.2010 at Mission Hospital, Madurai and christened as Caprial Maria Nova. After the birth of the child, the respondent was not interested to lead the matrimonial life with the petitioner.

3. The respondent frequently left the matrimonial house at Coimbatore without giving any intimation to the petitioner and the same was questioned by the petitioner and there was difference of opinion and on so many occasions, the petitioner had taken steps to bring her matrimonial home and the respondent had come to the matrimonial home and again on 24.04.2012, her second child was born at Madurai. The birth of the child was not intimated to the petitioner as well as the parents and coming to know about the birth of the child, the petitioner went to visit the child along with family members and the petitioner alone was permitted to visit the baby at the house of the respondent.

4. The respondent did not return to Coimbatore. In spite of that, the petitioner has taken effective steps to call her back and she refused and therefore, the petitioner lodged a complaint before All Women Police Station at Madurai for re-union with the respondent on 16.07.2013 and CSR number has been assigned as C.S.R 340 of 2013. The police officials advised the respondent for re-union for the wellfare of the two children and the efforts ended in vain and therefore, the petitioner has filed I.D.O.P.No.567 of 2014 before



the Family Court, Coimbatore and thereafter, in pursuant to the order passed in Tr.C.M.P.(MD) No.300 of 2014, the case was transferred to the file of the Family Court, Madurai and renumbered as I.D.O.P.No.86 of 2014 before the learned Judge, Family Court, Madurai and it was posted along with Maintenance Case.

5. The grievance of the petitioner is that all of his efforts to reunite with the respondent ended in vain and though the case was transferred from Coimbatore to Madurai, both cases have not been taken and the petitioner has to travel for each and every hearing to attend the case. According to the petitioner, the respondent is not attending the court regularly and therefore, prayed for early disposal of the case.

6. Since the petitions have been filed for early disposal of the cases, notice is not necessary to the respondents.

7. Considering the above stated facts and upon consideration of nature of the case, this Court feels that ends of justice would be met by directing the Court below to dispose of the same within a time frame. Without adverting to the merits of the case, a direction is issued to the Judge, Family Court, Madurai, M.C.No.100 of 2014 and I.D.O.P.No.86 of 2016 within a period of six months from the date of receipt of a copy of this order.

With the above direction, this Civil Revision Petitions are disposed of. No costs.

Sd/-

Assistant Registrar (P& A)

/True Copy/

Sub Assistant Registrar

To

The Judge, Family Court, Madurai.

+2cc to M/S.R.PAUL SUKUMAR, Advocate SR.No.83232 & 83272.

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