



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.11.2017

CORAM :

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THE HONOURABLE MRS.JUSTICE J.NISHA BANU

CRP(PD) (MD)No.1775 of 2017

A.Joseph Charles ... Petitioner/Petitioner

vs.

J.Sakthi Devi @ Christy Prescilla ... Respondent/Respondent

Petition filed under Article 227 of the Constitution of India, to direct the learned Family Court Judge, Madurai, to expedite the trial in G.W.O.P.No.36 of 2015 on its file, within a time frame as may be fixed by this Hon'ble Court.

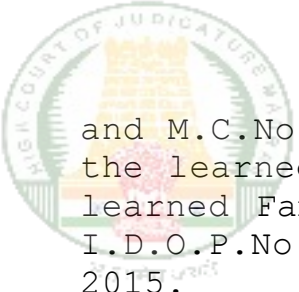
For Petitioner : Mr.R.Paul Sukumar

ORDER

This revision petition has been filed to issue a direction to the learned Family Court Judge, Madurai, to dispose of G.W.O.P.No.36 of 2015 within a time frame to be fixed by this Court.

2.Learned counsel for the petitioner would aver that the revision petitioner and the respondent are husband and wife. Due to difference of opinion, the petitioner/husband filed I.D.O.P.No.86 of 2014 on the file of the learned Family Court Judge, Madurai, and M.C.No.100 of 2014 was also filed by the respondent seeking maintenance. While so, the petitioner filed G.W.O.P.No.36 of 2015 on the file of the learned Family Court Judge, Madurai, to direct the respondent to hand over the minor children viz., Gabriel Marianova and Isaac to the nature guardian namely, the revision petitioner. It is further contended that though GWOP was filed in the year 2015, the written statement of the respondent was filed only on 09.10.2017, which will show that the respondent is dragging on the proceedings.

3.It is also contended that the revision petitioner filed CRP (PD) (MD)Nos.1774 and 1776 of 2017 seeking early disposal of I.D.O.P.No.86 of 2014 and M.C.No.100 of 2014 pending on the file of the learned Family Court Judge, Madurai, and this Court by order dated 24.10.2017 allowed the same by directing the learned Family Court Judge, Madurai, to dispose of I.D.O.P.No.86 of 2014



and M.C.No.100 of 2014 within a period of six months. Therefore, the learned counsel submits that a direction may be issued to the learned Family Court Judge, Madurai, to conduct a joint trial of I.D.O.P.No.86 of 2014, M.C.No.100 of 2014 and G.W.O.P.No.36 of 2015.

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4.Since it is only a petition for early disposal of GWOP which is pending from 2015, no notice is necessary to the respondent.

5.Considering the facts and circumstances of the case and in the light of the order dated 24.10.2017 passed in CRP(PD)(MD) Nos.1774 and 1776 of 2017, this Court feels that ends of justice would be met by directing the Court below to conduct a joint trial and dispose of the above three petitions within a time frame. Accordingly, the learned Family Court Judge, Madurai, is directed to hear G.W.O.P.No.36 of 2015 along with I.D.O.P.No.86 of 2014 and M.C.No.100 of 2014 and dispose of the above three petitions in accordance with law within a period of six months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

The Judge,
Family Court,
Madurai.

+1cc to Mr.R.Paul Sukumar, Advocate Sr.No.87210

BALA

VB/SV/MMS/SAR1/24/11/2017/2P/3C

CRP(PD)(MD)No.1775 of 2017
13.11.2017