



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:21.11.2017

CORAM :

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU**

**C.R.P. (PD) (MD) No.2155 of 2017**

J.Dalton

.. Petitioner

vs.

Shiny

... Respondent

**PRAYER:** Petition filed under Article 227 of the Constitution of India, to direct the Principal District Judge, Kanyakumari District at Nagercoil to dispose the case in I.D.O.P.No.361 of 2016 as expeditiously as possible.

For Petitioner : Mr.S.Suresh Kumar

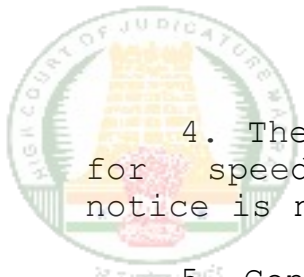
**ORDER**

The above Civil Revision Petition has been filed seeking a direction to the Principal District Judge, Kanyakumari District at Nagercoil, to dispose of the case in I.D.O.P.No.361 of 2016, within a stipulated time as fixed by this Court.

2. The petitioner would aver among other things that the marriage between the petitioner and the respondent was solemnized on 27.08.2014 at Thisayanvilai Roman Catholic church, as per the Roman Catholic Christian rites and customs. As per the allegations of the petitioner, from the day of marriage and reception, the petitioner found the respondent's weird behaviour, which indicates that the respondent is either unwilling for marriage or unhappy with him. His best efforts to convince her ended in vain and thereafter, she left to Chennai along with all her belongings, under the pretext of her studies, but never returned back to him. His attempts to retrieve her back to the matrimonial home ended in vain. Hence, the marriage is not consummated. Therefore, the petitioner filed a petition in I.D.O.P.No.361 of 2016 on the file of the Principal District Court, Kanyakumari District at Nagercoil seeking for dissolution of marriage. The respondent also entered appearance through her counter and after filing counter, she also preferred an application in I.A.No.151 of 2017 under Order XIV Rule 2 and Section 151 C.P.C. The petition filed for dissolution of marriage was pending more than one year and therefore, the petitioner has filed the present petition seeking early disposal of the same.

<https://hcservices.ecourts.gov.in/hcservices/>

3. Heard the learned Counsel for the petitioner and perused the materials available on record.



4. The prayer in the petition itself is with a limited prayer for speedy disposal of I.D.O.P.No.361 of 2016 and therefore, no notice is necessary to the respondent.

5. Considering the facts and circumstances of the case and also considering the fact that the matrimonial proceedings should be disposed of as early as possible, so that the petitioner and the respondent are able to decide their life, this Court is of the view that ends of justice would be met, if a direction is issued to the trial Court. Accordingly, having regard to the submissions made by the learned Counsel for the petitioner and also taking into consideration the limited prayer sought for in this Civil Revision Petition, without expressing any opinion with regard to the merits of the case, this Court directs the learned Principal District Judge, Kanyakumari District at Nagercoil, to dispose of the case in I.D.O.P.No.361 of 2016 on merits and in accordance with law within a period of six months from the date of receipt of a copy of this order.

6. With the above directions, the Civil Revision Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

The Principal District Court,  
Kanyakumari District at Nagercoil.

+1cc to Mr.S.SURESH KUMAR Advocate in SR. No. 88763

SSL

JS/MR.KKR/SAR.3/05.12.2017/2P-3C

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