



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2017

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THE HON'BLE MR.JUSTICE J.NISHA BANU

C.R.P.(MD) No.2378 of 2017

A.Ayampillai @ Anand

... Petitioner/Respondent

-Vs-

B.Gomathi

... Respondent/Petitioner

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India for issuance of a direction, to direct the Subordinate Court at Thoothukudi to dispose of H.M.O.P.No.71 of 2016 within a time frame as stipulated by this Court.

For Petitioner : Mr.C.T.Perumal

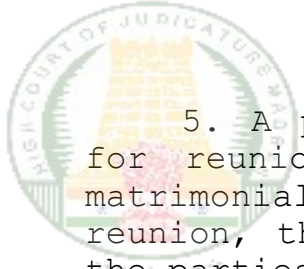
O R D E R

This Civil Revision Petition has been filed seeking a direction to dispose of H.M.O.P.No.71 of 2016 on the file of the learned Subordinate Court, Thoothukudi within the time prescribed by this Court.

2.The learned counsel for the petitioner would aver among other things that the marriage between the petitioner and the respondent was solemnized on 16.06.2013. From the very beginning of the marriage itself, the relationship between the petitioner and the respondent was strained. Since the respondent deserted the petitioner on 20.03.2015, the petitioner has filed H.M.O.P.No.92 of 2015 for restitution of conjugal rights. The respondent entered appearance in the matter and he has filed another application in H.M.O.P.71 of 2016 to dissolve the marriage. The petitioner has also filed counter as early as on 11.01.2017. Though the petitioner has consented for dissolution of the marriage held between the petitioner and the respondent, the court below is adjourning the matter without any reason for enquiry frequently. Now the petitioner is working in the Regional Office of the Indian Overseas Bank at Karaikudi and therefore, the petitioner has filed the present Civil Revision Petition for early disposal.

3. Since a direction for early disposal of H.M.O.P No. 71 of 2016, is sought for in this revision, no notice is necessary to the respondent herein.

4. Heard the learned counsel for the petitioner and perused the materials available on record.



5. A perusal of records shows that there is less possibility for reunion between the parties. In my considered opinion, in matrimonial matters, if the court finds there is no possibility for reunion, the matter should be disposed of at the earliest. So that the parties can decide their life at the earliest.

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6. Considering the facts and circumstances of the case, this Court feels that ends of justice would be met by directing the Court below to dispose of the petition within a time frame. Without advertent to the merits of the case, a direction is issued to the learned Subordinate Judge, Thoothukudi to dispose of H.M.O.P.No.71 of 2016 on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order.

7. 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 Subordinate Court, Thoothukudi

+1cc to Mr.C.T.PERUMAL,Advocate,SR.92025

C.R.P. (MD) No.2378 of 2017
11.12.2017

CM
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