



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2017

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P (MD) No.48 of 2017 (PD)

WEB COPY

T.Deepa

...Petitioner/Petitioner (Decree-holder)

Vs.

R.Venkattaragavan

..Respondent/ Respondent (Judgment Debtor)

PRAYER: Civil Revision Petition is filed, under Article 227 of the Constitution of India, to direct the I Additional Sub Court, Trichy to dispose of E.P.No.389/2014 in H.M.O.P.No.131/2008 within the time to be stipulated by this Hon'ble Court.

For Petitioner : Mr. M.R.S.Prabhu

ORDER

The petitioner has filed this Civil Revision Petition to direct the I Additional Sub Court, Trichy to dispose of E.P.No.389/2014 in H.M.O.P.No.131/2008 within the time to be stipulated by this Hon'ble Court.

2.The petitioner is the wife. The respondent is the husband. The respondent filed H.M.O.P.No.131 of 2008 before the Principal Sub Court, Thanjavur, for divorce. The petitioner filed I.A.No.35 of 2009 for interim maintenance of Rs.15,000/- per month and litigation expenses of Rs.25,000/-. The respondent filed counter affidavit and opposed the said application. The learned Judge considering the affidavit and counter affidavit allowed the application on 14.10.2009 and directed the respondent to pay monthly maintenance of Rs.8,000/- to the petitioner from the date of filing of HMOP till the disposal of the same and Rs.10,000/- for litigation expenses. From 10.08.2010 to 13.12.2011 the respondent paid Rs.1,34,000/- towards interim maintenance on various dates and the respondent has failed to pay the arrears of Rs.2,84,000/- till 11.01.2012. Therefore, the petitioner filed E.P., for realisation of maintenance amount of Rs.2,84,000/- together with cost by ordering attachment of the properties of judgment debtor/respondent and filed E.A.No.112 of 2014 before the Principal Sub Court, Thanjavur for transmitting the E.P., to the Sub Court, Trichy. Subsequently, E.P., was transferred from the Principal Sub Court, Thanjavur to the Sub Court, Trichy and was numbered as E.P.No.389 of 2014. In the E.P., the petitioner has taken number of adjournments and filed various applications to drag on the proceedings. In the circumstances, the petitioner has come out with the present Civil Revision Petition.



3.I have heard the learned counsel appearing for the petitioner and also perused the entire materials on record.

4.Having been taken into consideration of the material facts and circumstances, this Court is of the view that in the interest of justice, it may be expedient to issue a direction to the I Additional Sub Court, Trichy.

5.Accordingly, this Civil Revision Petition is allowed and the learned I Additional Sub Judge, Trichy is directed to dispose of E.P.No.389 of 2014 in H.M.O.P.No.131 of 2008 as expeditiously as possible, in any event, not later than, 30th April, 2017. No costs.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To
The I Additional Sub Court,
Trichy.

+1 cc to Mr.R.S.Prabhu, Advocate, SR.No:1929

Am
AE/JM/07.02.2017/2p/3c

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