



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 12.04.2017
CORAM:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

C.R.P. (MD) No. 763 of 2017

G. Buvaneswari

.. Petitioner/Plaintiff

Vs.

1. M. Iyyappan

2. Registrar of Marriages,
No. 1 Sub Registrar Office,
Trichy.

3. The District Registrar,
District Registrar Office,
Trichy.

.. Respondents/Defendants

Prayer : Civil Revision Petition is filed under Article 227 of the Constitution of India, by the Petitioner to direct the Learned Family Court, Tiruchirappalli to expedite trial and dispose of O.S.No.32 of 2015 within a stipulated period and render justice.

For Petitioner : Mr. Jana @ B. Janath Ahmed

O R D E R

The case of the petitioner is that, the 1st respondent herein who was her college-mate while pursuing M.B.A., taking advantage of the friendship, has created documents, as if, she has married to the 1st respondent at Arulmigu Valamburi Vinayagar Kovil, Crawford, Tiruchirappalli, on 11.06.2014 and the same was registered before the Sub Registrar, Tiruchirappalli.

2. On the basis of the above said fact, the revision petitioner has filed a suit for declaration to declare the alleged marriage held on 11.06.2014 as null and void and consequently to cancel the registration of marriage with the 2nd respondent/Sub Registrar.

3. The 1st respondent herein has filed a petition under Hindu Marriage Act, for restitution of conjugal rights and the same has been taken on file by the Family Court, Tiruchirappalli, as H.M.O.P.No.117 of 2015.

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

4. The present Revision Petition is filed by the plaintiff to expedite the proceedings in O.S.No.32 of 2015 pending on the



file of Family Court, Tiruchirappalli, on the ground that false document has been created by the respondent, as if, he and the petitioner got married on 11.06.2014, infringing her Fundamental Rights and unless or until her suit is disposed of expeditiously, she will be put to hardship.

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5. Copy of the B-Diary extract enclosed in the typed set of papers indicates that in O.S.No.32 of 2015, the 1st respondent herein failed to file his written statement and he was set aside on 04.03.2016. Thereafter, the 1st respondent has filed I.A.No.193 of 2016 to set aside the *ex parte* order along with his written statement and the same has been allowed on 03.11.2016. Thereafter, on 04.01.2017, the Trial Court has framed issues and posted the matter for trial. Therefore, it is for the plaintiff, who is the revision petitioner herein, to marshal her witnesses and conduct the trial.

6. Under these circumstances, this Court finds no necessity to direct the Court below to expedite the trial when there is no palpable delay on the part of the Trial Court in proceeding with the suit. It is for the plaintiff/revision petitioner to get along with the trial. If the plaintiff/revision petitioner produces the witnesses, the Trial Court shall examine the witnesses without any adjournment and proceed with the trial expeditiously and dispose of the suit.

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

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. Registrar of Marriages,
No.1 Sub Registrar Office,
Trichy.

2. The District Registrar,
District Registrar Office,
Trichy.

+1cc to Mr.Jana@B.Janath Ahamed, Advocate, SR.51687

C.R.P. (MD) No.763 of 2017
12.04.2017

GK/TSK

kk/MR/SAR2-27.04.2017-2P-4C