

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRP (PD) No.1086 of 2018

R.L.Murali

.. Petitioner

Vs

M.Padmini

.. Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to issue a direction to the Family Court Judge, Salem to conclude the F.C.O.P.No.394 of 2013 pending on the file of Family Court, Salem within a time frame that may be stipulated by this Court.

For Petitioner : Mr.M.Ganesh

ORDER

This Civil Revision Petition has been filed to issue a direction to the learned Family Judge, Salem to dispose of F.C.O.P.No.394 of 2013 pending on his file within a time frame.

2.The learned counsel for the petitioner/husband submitted that the respondent/wife filed a petition in F.C.O.P.No.394 of 2013

under Section 9 of the Hindu Marriage Act seeking a decree for restitution of conjugal rights. Counter statement has also been filed by the petitioner before the Court below. Thereafter, the matter is pending for more than five years and the Court below, has periodically adjourned the said F.C.O.P. especially for cross examination of P.W.1 for more than one year. Hence, the present Civil Revision Petition has been filed by the petitioner to issue a direction to the Court below to dispose of F.C.O.P as expeditiously as possible.

3.Considering the facts and circumstances of the case and submissions made by the learned counsel for the petitioner, without expressing any opinion on merits, this Court is inclined to pass the following order:

"(i)The learned Family Judge,
Salem is directed to dispose of
F.C.O.P.No.394 of 2013 as expeditiously as
possible, preferably within period of six
months from the date of receipt of a copy
of this order, if there is no legal
impediment.

(ii)The Civil Revision Petition is disposed of with the above direction. No order as to costs. "

20.03.2018

Index: Yes/No
Speaking/Non Speaking order

Note to Office:
Issue order copy
on 26.03.2018.

cla

To
The Family Judge,
Salem.



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D. KRISHNAKUMAR J.

cla



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