

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.01.2018

CORAM:

THE HONOURABLE MR. JUSTICE **D. KRISHNAKUMAR**

CRP(PD).Nos.109 & 110 of 2018
and 4562 of 2017 and
CMP.No.21517 of 2017

V.Nandagopal .. Petitioner in CRP.Nos.109 & 110 of 2018

R.Premalatha .. Petitioner in CRP.No.4562 of 2017

Vs

1.R.Premalatha .. Respondent in CRP.Nos.109 & 110 of 2018

2. V.Nandagopal .. Respondent in CRP.No.4562 of 2017

3. S.Kanagaraj .. Respondent in CRP.Nos.109 of 2018
& 4562 of 2017

PRAYER in CRP.No.109 of 2018

Civil Revision Petition is filed under Article 227 of the Constitution of India to expedite the speedy trial pertaining to HMOP.No.31 of 2011 pending on the file of the Additional Family Court, Coimbatore and dispose of the same as early as possible.

PRAYER in CRP.No.110 of 2018

Civil Revision Petition is filed under Article 227 of the Constitution of India to expedite the speedy trial pertaining to

HMOP.No.262 of 2011 pending on the file of the Additional Family Court, Coimbatore and dispose of the same as early as possible.

PRAYER in CRP.No.4562 of 2017

Civil Revision Petition is filed under Article 227 of the Constitution of India seeking for a direction to the Family Court, Coimbatore to decide IA.No.435 of 2017 in HMOP.No.31 of 2011 as a preliminary objection before proceeding with the trial.

For Petitioner in : Mr.B.Dayaalan
CRP.Nos.109 & 110 of 2018

For Petitioner in : Mr.M.R.Thangavel
CRP.No.4562 of 2017

For first respondent in : Mr.M.R.Thangavel
CRP.No.109 of 2018 &
Respondent in
CRP.No.110 of 2018

For first respondent in : Mr.B.Dayaalan
CRP.No.4562 of 2017

For second respondent in : No Appearance
CRP.No.4562 of 2017

COMMON ORDER

According to the revision petitioner in CRP.Nos.109 & 110 of 2018, the revision petitioner has filed a petition in HMOP.No.31 of 2011 for dissolution of marriage and the respondent has filed a petition

in HMOP.No.262 of 2011 for restitution of conjugal rights before the Additional Family Court, Coimbatore . Both the HMOP's are pending from the year 2011. Therefore, the present Civil Revision petitions have been filed before this Court to dispose of the same within the time as may be fixed by this Court.

2. The learned counsel for the respondent would submit that the respondent has also filed a Civil Revision Petition in CRP.No.4562 of 2017 before this Court to decide the IA.No.435 of 2017 in HMOP.No.31 of 2011 as preliminary objection in the aforesaid HMOP.

3. By consent of both the parties, the above Civil Revision Petitions are taken up for final disposal today.

4. According to the respondent, the respondent has filed an application IA.No.435 of 2017 to raise preliminary objection in the above HMOP.No.31 of 2011 to eschew Exs.P16, 18 and 19 which are already marked in the aforesaid HMOP. Counter statement has been filed in the said application and the same is pending.

5. In view of the above submissions and considering the aforesaid facts, without going into merits of the case, this Court is inclined to direct the Additional Family Court, Coimbatore to dispose of IA.No.435 of 2017 in the aforesaid OP in accordance with law as expeditiously as possible preferably within a period of six weeks from the date of receipt of a copy of this Order. By consent of both parties, subject to the outcome of order passed in IA, the court below shall consider to dispose of the HMOP.Nos.31 of 2011 and 262 of 2011 at an earliest.

6. The Civil Revision Petitions are disposed of with above directions. Consequently, the connected miscellaneous petition is closed. No costs.

सत्यमेव जयते

18.01.2018

Speaking/Non-Speaking order

Index :Yes/No

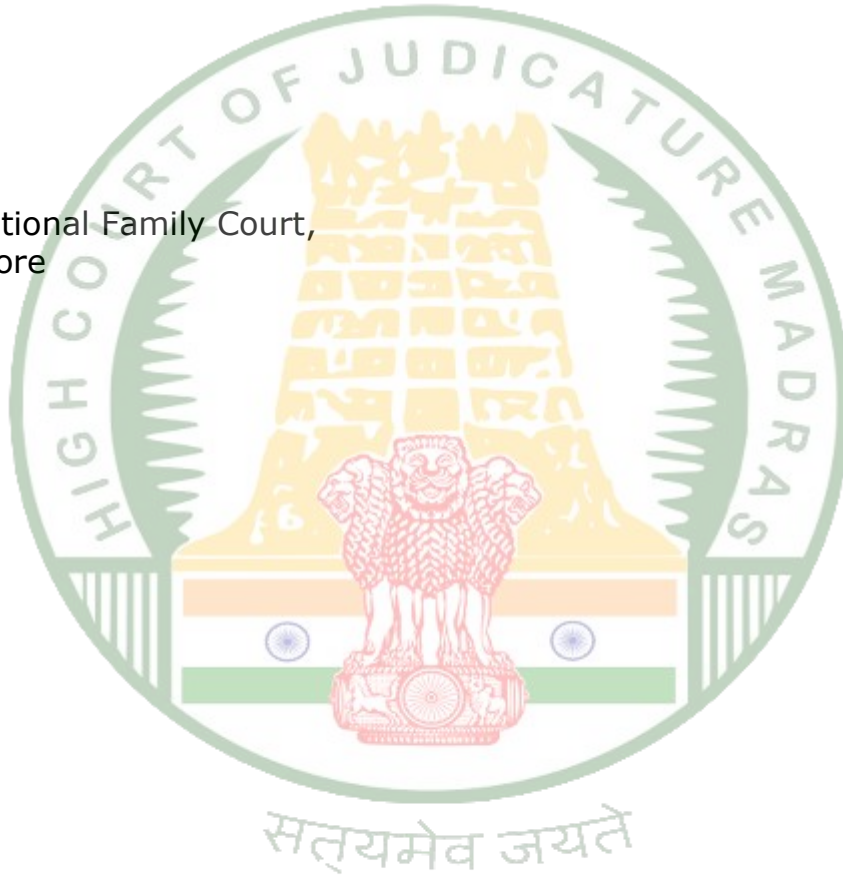
Internet:Yes/No

lok

WEB COPY

To

The Additional Family Court,
Coimbatore



WEB COPY

D. KRISHNAKUMAR J.,

lok



CRP(PD).Nos.109 & 110 of
2018 and 4562 of 2017 and
CMP.No.21517 of 2017

WEB COPY

18.01.2018