

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 19.09.2018

CORAM :

THE HONOURABLE MR.JUSTICE M.S.RAMESH

C.R.P.(PD) No.2796 of 2018

V.Rajesh

... Petitioner/Petitioner

Vs

Priya Krishnan

.... Respondent/Respondent

Prayer:- Civil Revision Petition has been filed under Article 227 of the Constitution of India to direct the learned II Additional Family Court at Chennai to dispose the O.P.2757 of 2015 within a period of three months.

For petitioner : M/s.Geeta Ramaseshan

ORDER

The limited prayer sought for in the present Civil Revision Petition is for a direction to the learned II Additional Family Court, Chennai to expedite the proceedings in O.P.No.2757 of 2015.

2. On perusal of the adjudication orders produced before this court, it is seen that the respondent herein was earlier set ex-parte on 01.03.2016 and subsequently her application to set aside the ex-parte order, was allowed on 15.04.2016. Subsequently, conditional order came to be passed for filing counter by the respondent/wife and since, the respondent/wife had not comply with the conditional order, she was again set ex-parte on 04.11.2017. After that the respondent herein had filed an application seeking to set aside the ex-parte order, which came to be allowed on 02.03.2018. It is in this background, the petitioner has now filed the present application seeking for a direction to expedite the proceedings before the trial Court.

3. The original petition came to be filed in the year 2015 and in view of the conduct of the respondent herein, the same has been kept pending for the past three years. The adjudication from the year 2015 to 2018 evidences that the petitioner/husband had been almost regularly appearing before the trial Court. Since the respondent herein had been set exparte on two occasions, it is the submission of the learned counsel that the petitioner has been put to serious inconvenience and prejudice.

4. In my view, if the time limit is stipulated for disposal of the proceedings before the trial Court, no prejudice would be caused to the respondent herein and as such, notice is not being ordered to the respondent herein.

5. In the light of the above observations, there shall be a direction to the learned II Additional Family Court, Chennai to expedite the proceedings in O.P.No. 2757 of 2015 and complete the same within the period of three months from the date of receipt of a copy of this order.

With the above observations and directions, the Civil Revision Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

ak/ebsi

To

1. The II Additional Judge,
Family Court, Chennai.
- 2.The Section Officer,V.R.Section, High Court,
Madras-104. (2 Copies)

+5cc to Mrs.Geetha Ramaseshan, Advocate,S.R.No.64919 and 65730

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KK (CO)

rrs 09/10/2018

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