



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED : 20.02.2018

CORAM :

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU**  
**C.R.P. (PD) (MD) No.314 of 2018**

WEB COPY

Ramesh

... Petitioner / Petitioner

vs.

Vaishnavi

... Respondent / Respondent

PRAYER: Petition filed under Article 227 of the Constitution of India, to direct the learned Family Court, Madurai to decide the H.M.O.P.No.75 of 2011 on the file of the learned Family Court, Madurai on merits and in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Narayanan

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### ORDER

This Civil Revision Petition has been filed seeking a direction to the learned Judge, Family Court, Madurai, to dispose of the petition in H.M.O.P.No.75 of 2011 within a stipulated time limit as may be fixed by this Court.

2. The brief facts of the case are that the marriage between the petitioner/husband and the respondent/wife was solemnized on 19.06.2008. Out of the wedlock, they gave birth to a male child, by name, Sajeerv. The case of the petitioner is that from the day of marriage, nothing was alright between the petitioner and the respondent. According to the petitioner, the respondent is suffering from Psychological disease and the disease has been diagnosed as Border Line Personality Disorder. He would further submit that due to the violent behavior of the respondent, her parents took her to their home on 02.04.2010, for further treatment. Thereafter, they are living separately and after 11 months of separation, the petitioner has filed the above petition for divorce in the year 2011. As the same is kept pending, he is before this Court seeking a direction for early disposal of the H.M.O.P., proceedings.

3. Heard the learned Counsel for the petitioner and perused the materials available on record. Notice to the respondent is dispensed with, since the prayer itself is for a limited scope seeking early disposal of the petition in H.M.O.P.No.75 of 2011.



4. It is seen that the H.M.O.P., proceedings is of the year 2011. For one reason or other, the said petition was kept pending for more than seven years.

5. Considering the facts and circumstances of the case and also the limited scope of the prayer sought for, this Court, without going into the merits of the case, directs the learned Judge, Family Court, Madurai to dispose of the proceedings in H.M.O.P.No.75 of 2011, within a period of six months from the date of receipt of a copy of this order. Needless to mention that if the post of the Presiding Officer in the Family Court, Madurai is vacant then the Presiding Officer (in-charge) shall dispose of the impugned proceedings within the said time frame.

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

Sd/-  
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

The Family Court,  
Madurai.

+1cc to Mr.R.Narayanan, Advocate Sr.No.49740

GK

VB/SKN/RSK/SAR4/21.03.2018/2P/3C

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