



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.03.2018

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P.(MD)No.316 of 2018 (PD)

WEB COPY

S.Narayanan

.. Petitioner /
Petitioner

Vs.

Bagavathi

.. Respondent /
Respondent

PRAYER: Petition filed under Article 227 of the Constitution of India, praying to direct the learned Subordinate Judge, Thoothukudi, to dispose of H.M.O.P.No.52 of 2013 pending on his file within a stipulated time.

For Petitioner : Mr.C.Gangai Amaran

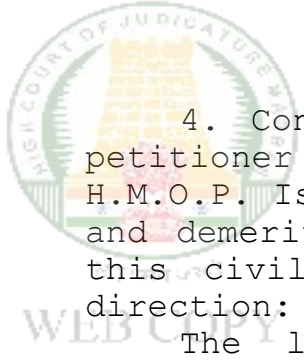
For respondent : No appearance

ORDER

This civil revision petition has been filed by the revision petitioner / plaintiff, seeking a direction to the learned Subordinate Judge, Tuticorin, to dispose of H.M.O.P.No.52 of 2013 within a stipulated time.

2. The learned counsel appearing for the revision petitioners would submit that the marriage between the petitioner and the respondent was solemnized on 29.04.1998. After marriage, both of them lived happily for some time and they blessed with a female child in the year 1999. Later, due to difference of opinion, the respondent herein / husband of the petitioner has filed H.M.O.P.No.52 of 2013 for divorce and they fought with various other litigations. The grievance of the petitioner is that though the H.M.O.P. has been filed in the year 2013 and the evidence is over, without any valid reason, the case is being adjourned periodically and the same is causing mental agony to the petitioner and hence, he has come up with this civil revision petition for the aforesaid prayer.

3. Though the private notice is served to the respondent and her name is printed in the cause list, the respondent did not appear either in person or through any counsel. Since the petition is filed for a limited relief of early disposal, no further notice need be sent to the respondent.



4. Considering the limited relief sought for by the revision petitioner / petitioner and also considering the fact that the H.M.O.P. Is pending from 2013 onwards, without going into the merits and demerits of the allegation raised by the revision petitioner, this civil revision petition is disposed of with the following direction:

The learned Subordinate Judge, Tuticorin, is directed to dispose of H.M.O.P.No.52 of 2013, pending on his file, on merits and in accordance with law, as early as possible, preferably within a period of two months from the date of receipt of copy of this order.

5. No order as to cost.

Sd/-
Assistant Registrar (CSIII)

/True Copy/

Sub-Assistant Registrar

To

The Subordinate Judge,
Tuticorin.

Gcg
RL/2C/2P/SV/MMS/SAR2/26/3/2018

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