



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2018

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (PD) (MD) No.533 of 2018

Subbulakshmi

... Petitioner/Petitioner

vs.

Senthilvel

... Respondent/Respondent

PRAYER: Petition filed under Article 227 of the Constitution of India, to direct the Family Court, Madurai to dispose of the case in H.M.O.P.No.424 of 2009 pending before the Family Court, Madurai as expeditiously as possible.

For Petitioner : Mr.S.Muniyandi

ORDER

This Civil Revision Petition has been filed seeking a direction to the learned Judge, Family Court, Madurai, to dispose of the case in H.M.O.P.No.424 of 2009, within a stipulated time limit.

2. The learned Counsel appearing for the petitioner would submit that the marriage between the petitioner and the respondent was solemnized on 14.07.2004, at Subramania Swamy Temple, Tiruchendur. After marriage, both of them lived happily for quite some period and out of the wedlock, the petitioner gave birth to a male child. Thereafter, according to the petitioner, the respondent started harassing the petitioner and moving a step ahead, the petitioner was driven back to her parental home. As the efforts made by the elders of both parties ended in vein, the petitioner herein filed H.M.O.P.No.424 of 2009, seeking divorce, before the Family Court, Madurai. In the mean time, the petitioner has filed an interim maintenance application for educational expenses towards their child and the same was also allowed. But, it is the grievance of the petitioner that the respondent is dragging on the main proceedings by one reason or the other and he has successfully stalled the proceedings for the past nine years. Hence, the petitioner is before this Court, for the aforesaid relief.



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 H.M.O.P., proceedings.

4. Perusal of B-Diary Extract would fortify the contentions of the learned Counsel for the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the H.M.O.P., is of the year 2009, this Court is of the view that ends of justice will be met if a direction is issued to the learned Judge for early disposal of the H.M.O.P., proceedings. Accordingly, without adverting into the merits of the case, the learned Judge, Family Court, Madurai, is directed to dispose of H.M.O.P.No.424 of 2009 within a period of six months from the date of receipt of a copy of this order.

6. With the above direction, this Civil Revision Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

The Judge,
Family Court,
Madurai.

+ 1 cc TO Mr.V.Ramalingam , Advocate in SR No. 55128

gk

AE/KKR/SAR1/27.03.2018/2P/3C

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