



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.04.2018

CORAM

THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

CRP (PD) (MD) .Nos. 798 of 2018

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Karuppasamy

.. Petitioner/Petitioner

Vs.

K. Jeyalakshmi

.. Respondent/Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to direct the learned Subordinate Judge, Thirumangalam to expedite the proceedings pending in HMOP No.386 of 2017 and to pass final order within a period stipulated by this Court.

For Petitioner : Mr. R.Sathish Babu

O R D E R

The petitioner, who is husband of the respondent K.Jeyalakshmi has filed HMOP NO.386 of 2017 before the learned Subordinate Judge, Thirumangalam seeking divorce under Section 13 (1) (i-a) & 13(1) (1-b) of the Hindu Marriage Act.

2. The said petition was originally filed in the year 2015 in HMOP No.360 of 2015 before the learned III Additional Sub Judge, Madurai by the petitioner and the same was transferred to the file of the learned Subordinate Court, Thirumangalam and renumbered as HMOP No.386 of 2017.

3. The case of the petitioner is that the respondent/wife has not filed any counter in HMOP No.386 of 2017 for the past three years and that the said petition is pending without any further progress. Finding no other efficacious remedy the petitioner has incurred the extraordinary jurisdiction of this Court for a direction to the learned Subordinate Judge, Thirumangalam to expedite the trial in HMOP No.386 of 2017 and dispose of the same within a period of time fixed by this Court.

4. Heard the learned counsel for the petitioner. Notice to the respondent is dispensed with in view of the nature of disposal of this petition.

5. The present Civil Revision Petition has been filed by the petitioner for a direction to the learned Subordinate Judge,



Thirumangalam to expedite the case pending in HMOP No.386 of 2017 and pass final orders within a period stipulated by this Court. In view of the limited content of prayer sought for by the petitioner, I am inclined to pass the following Order.

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6. In the result,

(i). this Civil Revision Petition No.798 of 2018 is disposed of.

(ii). the learned Subordinate Judge, Thirumangalam is directed to dispose of HMOP No.386 of 2017 within a period of three months from the date of copy of receipt of this order by conducting the trial on day to day basis without adjournments to either parties and the parties are directed to give their fullest cooperation for disposal. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

The Subordinate Judge, Thirumangalam.

+1cc to Mr. R.Sathish Babu, Advocate Sr.No.60501

SV/MMS/SAR4/28/04/2018/2P/3C

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