



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:04.04.2018

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

CRP(PD) (MD) .No.2398 of 2017

K.NazeerKhan

.. Petitioner

Vs.

I.Mubena

.. Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to pass an order directing the Family Court, Madurai, to dispose of O.S.No.44/2016 within a time frame as stipulated by this Honourable Court.

For Petitioner : Mr.I.Saliyakhan

For Respondent : Mr.K.Jegan

O R D E R

The petitioner filed O.S.No.44 of 2016 before the learned Family Court Judge, Madurai, for divorce and the same is pending from 2016. The petitioner filed the present Civil Revision Petition seeking this Court under Article 227 of Constitution of India, to direct the learned Family Court Judge, Madurai, to dispose the suit in O.S.No.44 of 2016 within a time frame as stipulated by this Court.

2.The petitioner submits that on 30.09.2016, the petitioner has filed O.S.No.44 of 2016 before the Family Court, Madurai, to dissolve the marriage held between her and the petitioner on 27.09.2009 as per Muslim rites and customs. Notice was issued to the respondent on 11.11.2016 and the case was posted for counselling on 25.04.2017. Since the counselling failed, the case was posted for filing of written statement by the respondent for several hearing dates and lastly it was posted on 15.11.2017 and then on 22.01.2018. The respondent is wantonly dragging on the proceedings. Hence, the petitioner has come forward with this petition.

3.Heard the learned counsel appearing for the petitioner and respondent and perused the documents available on record.

4.Since, it is only for the speedy trial, this Court is inclined to direct the learned Family Court Judge, Madurai. Accordingly, the following order is passed:-



This Civil Revision Petition is disposed of with a direction to the learned Family Court Judge, Madurai, to dispose of the suit in O.S.No.44 of 2016 on his file, within a period of four months from the date of receipt of a copy of this order without giving any adjournment to either parties. Both the parties should give their fullest co-operation for early disposal as per direction given by this Court in this Civil Revision Petition. No costs.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar

To

1.The Judge, Family Court, Madurai.

2.The Section Officer, **(2 COPIES)**

E.R Section/ V.R.Section,
Madurai Bench of Madras High Court, Madurai.

+1CC TO M/S.I.SALIYAKHAN, ADVOCATE, SR NO.59703

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MS/SKN-RSK/SAR-1/24.04.2018/2P.5C