



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:20.06.2018

CORAM :

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

C.R.P. (MD) No.1200 of 2018

Sri Hari Subramanian

.. Petitioner/Petitioner

Vs.

Durga Devi

.. Respondent/Respondent

PRAYER: Petition filed under Article 227 of the Constitution of India, to direct the learned Sub Judge, Periyakulam, Theni District to dispose of the HMOP No.86 of 2016, within the time stipulated by this Court.

For Petitioner : Mr. B.Jeyakumar

ORDER

This Civil Revision Petition has been filed seeking a direction to the learned Sub Judge, Periyakulam, Theni District to dispose of the HMOP No.86 of 2016, within the time stipulated by this Court.

2. The petitioner, who is the husband, has filed a petition in HMOP No.86 of 2016 under Section 12 of the Hindu Marriage Act to declare the marriage between them as null and void on the ground of fraud and suppression the disease of the respondent/wife herein at the time of marriage. The petitioner would submit that the marriage between the petitioner and the respondent was arranged by the elders of the both family. After marriage, the petitioner came to know that the respondent finds it difficult to get up while sitting and also informed that the respondent has suffered from deficiency of Hemoglobin. After undergoing the required medical test, the doctor diagnosed that there is a possibility of Limb girdle muscular dystrophy (LGMD 21/24). It is stated that the petition is filed in the year 2016 and the matter has been prolonged for a long time without any progress for let in evidence by the respondent and that a direction may be given by this Court for early disposal, in the interest of justice.

3. Heard the learned Counsel for the petitioner and perused the materials available on record.

4. Considering the facts and circumstances of the case and the grievance expressed by the petitioner before this Court, this Court is inclined to allow this petition.



5. In the result, the Civil Revision Petition is allowed and the learned Sub-Judge, Periyakulam, Theni District, is directed to dispose of HMOP No.86 of 2016 as expeditiously as possible, preferably within a period of four months from the date of receipt of a copy of this order, after issuing notice to both the parties. No costs.

Sd/-
Assistant Registrar(Crl. side)

/True Copy/

Sub Assistant Registrar

To

The Sub Judge,
Periyakulam,
Theni District.

+1cc to M/S.B.Jeyakumar, Advocate SR.No. 69054

C.R.P.(MD)No.1200 of 2018
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JM/SV/SAR 1/10.07.2018/2P/3C