



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2018

CORAM :

WEB COPY

THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

C.R.P. (MD) No. 550 of 2017

V. Victor Rajendran

.. Petitioner

Vs.

D. Rosatty

.. Respondent

PRAYER: Petition filed under Article 227 of the Constitution of India, to direct the learned Principal District Judge, Tuticorin to expedite the trial and to dispose the divorce petition in I.D.O.P. No.376 of 2016, within the time stipulated by this Court.

For Petitioner : Mr.K. Manikandan

ORDER

This Civil Revision Petition has been filed seeking a direction to the learned Principal District Judge, Tuticorin to expedite the trial and to dispose the divorce petition in I.D.O.P. No.376 of 2016, within the time stipulated by this Court.

2. The revision petitioner is the husband and the respondent is the wife in I.D.O.P. No.376 of 2016. The revision petitioner/husband has filed I.D.O.P. No.376 of 2016 before the Judge, Family Court, Dindigul for divorce. Already three sittings in the mediation were conducted in the Mediation Centre at Dindigul, but no fruitful decision was arrived. In the meantime, the respondent herein/wife has filed a petition in Tr.C.M.P. (MD) No.339 of 2016 before this Court and obtained the order of transfer the case from Dindigul to Tuticorin and even after the case was transferred, the respondent/wife did not filed counter. He would further submit that the petition in I.D.O.P. No.376 of 2016 has been simply adjourned for a long time without any progress and that a direction may be given by this Court for an early disposal, in the interest of justice.

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



4. A perusal of the 'B' Diary extract would fortify the contentions made by the learned counsel for the petitioner.

5. The case has been adjourned on several occasions without any valid reason.

WEB COPY

6. Therefore, this Court, without going into the merits of the allegation raised by the revision petitioner, is inclined to direct the Court below to dispose of the interlocutory petition in I.D.O.P. No.376 of 2016, within the stipulated period.

7. In view of the above, the learned Principal District Judge, Tuticorin is directed to dispose of the I.D.O.P. No.376 of 2016, on merits and in accordance with law, within the period of four months, from the date of receipt of a copy of this order, after issuing notice to both the parties.

8. The Civil Revision Petition is ordered accordingly. No costs.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar (CS-III)

To

The Principal District Judge,
Tuticorin.

+ 1 CC TO Mr.K.MANIKANDAN, ADVOCATE IN SR No. 72883

KSA

TE/MMS/SAR-3 : 02/08/2018 : 2P/3C

C.R.P. (MD) No. 550 of 2017
13.07.2018