



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

C.R.P. (PD) (MD) No.1418 of 2018

A.Subashri

...Petitioner/Petitioner

Vs.

1.Regupathy

2.Selvi Dhanam

...Respondents/Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, against the H.M.O.P.No.72 of 2018 on the file of the Family Court, Karur to dispose of the same within the stipulated time.

For Petitioner : Mr.N.Sudhagar Nagaraj

O R D E R

This Civil Revision Petition is filed for a direction to the learned Judge, Family Court, Karur to dispose of the H.M.O.P.No.72 of 2018 within the stipulated time.

The petitioner/wife has filed a petition in H.M.O.P.No.231 of 2016 before the Sub-Court, Karur and the same was pending more than two years and thereafter, the same was transferred to the Family Court, Karur and renumbered as H.M.O.P.No.72 of 2018. Since the above said petition is pending more than two years, the petitioner has approached this Court by invoking the jurisdiction under Article 227 of the Constitution of India, seeking for a direction to the learned Judge, Family Court, Karur, to dispose of the H.M.O.P.No.72 of 2018, within a particular period.

3. Heard the learned counsel for the petitioner and perused the materials placed before this Court.

4.It is the case of the petitioner that originally the petitioner/wife has filed an application before the Sub-Court, Karur in H.M.O.P.No.231 of 2016 and after establishment of the Family Court, Karur, the case was transferred from the file of the Sub-Court, Karur to the file of the Family Court, Karur and the case was re-numbered as H.M.O.P.No.72 of 2018.

5.The H.M.O.P has been filed in the year 2016 and for more than 2 years, it was continuously adjourned. It is seen from the 'B'



dairy extracts, which clearly shows that in the matter, several adjournments have been given for cross examination of P.W1, namely, the petitioner herein.

6. Since the petitioner has sought for a limited prayer for early disposal of the H.M.O.P, no notice is necessary to the respondent, which would cause no prejudice anyway to the respondent. It is an admitted fact that the H.M.O.P, is pending from 2016 onwards, but the learned Judge, Family Court, Karur, has not taken any action to dispose of the H.M.O.P., which is pending for more than 2 years. Therefore, I am inclined to pass the following order:

(a) The learned Judge, Family Court, Karur, is directed to dispose of the H.M.O.P.No.72 of 2018 within a period of two months from the date of receipt of a copy of this order, on day-to-day basis without giving any adjournment to either parties.

(b) The parties are also directed to give their fullest co-operation for early disposal of the H.M.O.P, within the time limit fixed by this Court for passing orders.

(c) The learned Judge, Family Court, Karur, is directed to file a compliance report before this Court within a period of ten days after passing orders in H.M.O.P.No.72 of 2018.

7. The Civil Revision Petition is disposed of, with the above directions. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

The Judge,
Family Court,
Karur.

+1cc to M/S.N.Sudhagar Nagaraj, Advocate SR.No. 72490

C.R.P. (PD) (MD) No.1418 of 2018
11.07.2018

ns

JM/SV/SAR 1/18.07.2018/2P/3C