



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

C.R.P. (MD) No. 1533 of 2018

S. Gopinath

.. Petitioner

Vs.

Rajabharathi

.. Respondent

PRAYER: Petition filed under Article 227 of the Constitution of India, to direct the learned Judge, Madurai, Family Court to dispose of the petition in H.M.O.P. No.583 of 2016 filed by the petitioner as expeditiously as possible, within the time stipulated by this Court.

For Petitioner : Mr.P. Mahendran

ORDER

This Civil Revision Petition has been filed seeking a direction to the learned Judge, Madurai, Family Court to dispose of the petition in H.M.O.P. No.583 of 2016 filed by the petitioner as expeditiously as possible, within the time stipulated by this Court.

2. The revision petitioner is the petitioner and the respondent is the respondent in H.M.O.P. No.583 of 2016. The revision petitioner/husband has filed the above said petition for divorce and the same was taken on file on 26.08.2016 by the learned Judge, Family Court, Madurai. Thereafter, the revision petitioner herein has filed a interlocutory application in I.A.No.61 of 2018 in H.M.O.P. No.583 of 2016 for seeking interim custody of his children and the same is pending. It is stated that the matter has been posted for many hearing dates for filing counter by the respondent and the petition is filed in the year 2016 and the matter has been prolonged 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.

<https://hcservices.ecourts.gov.in/hcservices/>

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.

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 petition in H.M.O.P. No.583 of 2016, within the stipulated period.

7. In view of the above, the learned Judge, Family Court, Madurai is directed to dispose of the petition in H.M.O.P. No.583 of 2016, on merits and in accordance with law, within the period of three 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 (Writs)

/True Copy/

Sub Assistant Registrar (CS-III)

To

The Judge,
Family Court,
Madurai.

+ 1 CC TO Mr.P.MAHENDRAN, ADVOCATE IN SR No. 74598

KSA
TE/RP/SAR-3 : 14/08/2018 : 2P/3C

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