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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:23.07.2018

CORAM :

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

C.R.P.(PD) (MD)No.1527 of 2018

M.Sasikumar .. Petitioner

Vs.

S.Sivasankari .. Respondent

PRAYER: Petition filed under Article 227 of the Constitution of India, to direct the Family Court, Dindigul to expedite and complete the trial in H.M.O.P.No. 183 of 2015 within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.P.M.Vishnuvarthanan

ORDER

This Civil Revision Petition has been filed by the petitioner / husband, seeking a direction to the Family Court, Dindigul to expedite the trial in H.M.O.P.No.183 of 2015, within the time to be stipulated by this Court.

2. The case of the petitioner is that his marriage with the respondent was solemnized on 02.07.2006 and out of their wedlock, they were blessed with two children, who are at present maintained by his wife. It is the further case of the petitioner that due to difference of opinion between them, the respondent / wife started harassing him by levelling unnecessary allegations against him and threatening with dire consequences, thereby caused mental agony to the petitioner and on account of the continuous torture meted out by him at the hands of his wife, he had filed a petition in H.M.O.P.No.183 of 2015 under Section 13(1)(i a)of the Hindu Marriage Act, 1955, seeking for dissolving their marriage. It is the grievance of the petitioner that though he had filed the petition in the year 2015, the matter is being prolonged for a long time without any progress and therefore, a direction may be given to the Trial Court for an early disposal of the case, in the interest of justice.

3. Heard the learned counsel for the petitioner and the notice to other side is dispensed with, in view of the limited prayer sought for in this petition. This Court also perused the materials available on record.

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4. The petitioner has annexed a copy of online status of the petition in the typeset of papers and a perusal of the same would fortify the contentions made by the learned counsel for the petitioner to be true, as the case has been adjourned on several occasions without any valid reasons.

5. Therefore, this Court is of the view that in order to render a substantial justice, a direction shall be issued to the Trial Court to dispose of the H.M.O.P.No.183 of 2015 in a time bound manner.

6. Accordingly, the learned Family Judge, Dindigul, is directed to dispose of the H.M.O.P.No.183 of 2015, on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order, after issuing notice to both the parties.

7. With the above direction, this Civil Revision Petition is disposed of. No costs.

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar(CS-I)

To:

1.The Judge,
Family Court,
Dindigul.

2.The Record Keeper,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.(2 Copies)

+1CC to Mr.P.M.Vishnuvarthanan Advocate in SR.No.74578.

AAV
DS/SV/SAR-1 :25.07.2018: 2P/5C

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