



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

C.R.P. (PD) (MD) No.1612 of 2018

WEB COPY

S.Devaki

...Petitioner/Petitioner

Vs.

S.Sathick Batcha

...Respondent/Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the Family Court, Madurai to dispose the suit in G.W.O.P.No.14 of 2013 within the time stipulated by this Court.

For Petitioner : Mr.K.Krishna

ORDER

This Civil Revision Petition is filed for a direction to the Family Court, Madurai to dispose the suit in G.W.O.P.No.14 of 2013, within the Stipulated time.

2.The petitioner has filed an application in G.W.O.P.No.14 of 2013 before the Family Court, Madurai, for custody of the minor child. The said G.W.O.P has been filed in the year 2013 and the same is pending for more than 5 years without any further proceedings. Therefore, the petitioner has approached this Court by invoking the jurisdiction under Article 227 of the Constitution of India, seeking for a direction to the the learned Family Court Judge, Madurai to dispose of the G.W.O.P.No.14 of 2013, within a particular period.

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

4.The G.W.O.P.No.14 of 2013 has been filed in the year 2013 and for more than 5 years, it was continuously adjourned. It is seen from the 'B' dairy extract, which clearly shows that the matter has been adjourned periodically for reporting settlement.

5. Since the petitioner has sought for a limited prayer for early disposal of the G.W.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 G.W.O.P., is pending from 2013 onwards, but the learned Family Court Judge, Madurai, has not taken any action to dispose of the G.W.O.P., which is pending for more than five years. Therefore, I am inclined to pass the following order:

The learned Family Court Judge, Madurai, is directed to dispose of the G.W.O.P.No.14 of 2013 within a period of three months from the date of receipt of a copy of this order, on day-to-day basis without giving any adjournment to either parties. The parties are also directed to give their fullest



co-operation for early disposal of the G.W.O.P., within the time limit fixed by this Court for passing orders. The learned Family Court Judge, Madurai, is directed to file a compliance report before this Court within a period of ten days after passing orders in G.W.O.P.No.14 of 2013.

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

Sd/-
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar(CS-III)

To

The Judge, Family Court
Madurai.

Copy To:

1. The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.
2. The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.K.Krishna, Advocate, SR.No. 75874

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ES/RP/SAR 3/14.08.2018/2P/5C