

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2019

CORAM

THE HON'BLE MR.JUSTICE R. SURESH KUMAR

C.R.P. No.3825 of 2019

M.Kameshraj

... Petitioner

-Vs-

K.Sharmila

... Respondent

Prayer : Civil Revision Petition under Article 227 of the Constitution of India to direct the 2nd Additional Family Court, Chennai to dispose of the H.M.O.P.No.1492 of 2016.

For Petitioner : Mr.K.Rajasekaran

ORDER

This revision has been filed seeking for a direction from this Court to the 2nd Additional Family Court, Chennai to dispose of the H.M.O.P.No.1492 of 2016. सत्यमेव जयते

2. Heard the learned counsel appearing for the petitioner, who would submit that the said H.M.O.P. was filed by the petitioner against the respondent for dissolution of marriage in the year 2016 and for the past three years, no considerable progress has been made in the main O.P., due to various interlocutory applications filed and pending.

Therefore, the revision petitioner / husband is not able to see his children for the past three years and the petitioner would be satisfied, if a direction is given to the Court below to decide the main O.P., within a reasonable time.

3. Admittedly, the said H.M.O.P.No.1492 of 2016 was filed by the revision petitioner / husband for dissolution of marriage against the respondent /wife, where both parties have filed interlocutory applications and as of now, according to the learned counsel for the revision petitioner, eight such applications are pending before the Family Court for decision.

4. When that being the position, we cannot expect the Court below to decide the main O.P., without deciding the interlocutory applications. In that view of the matter, this Court, while not agreeing with the prayer sought for to give a direction to decide the H.M.O.P., within a time frame to be stipulated by this Court, is inclined to dispose of this revision with the following direction.

5. The Court below, i.e., the 2nd Additional Family Court, Chennai is directed to decide the interlocutory applications filed and pending in H.M.O.P.No.1492 of 2016 at the earliest, preferably within a period of 60

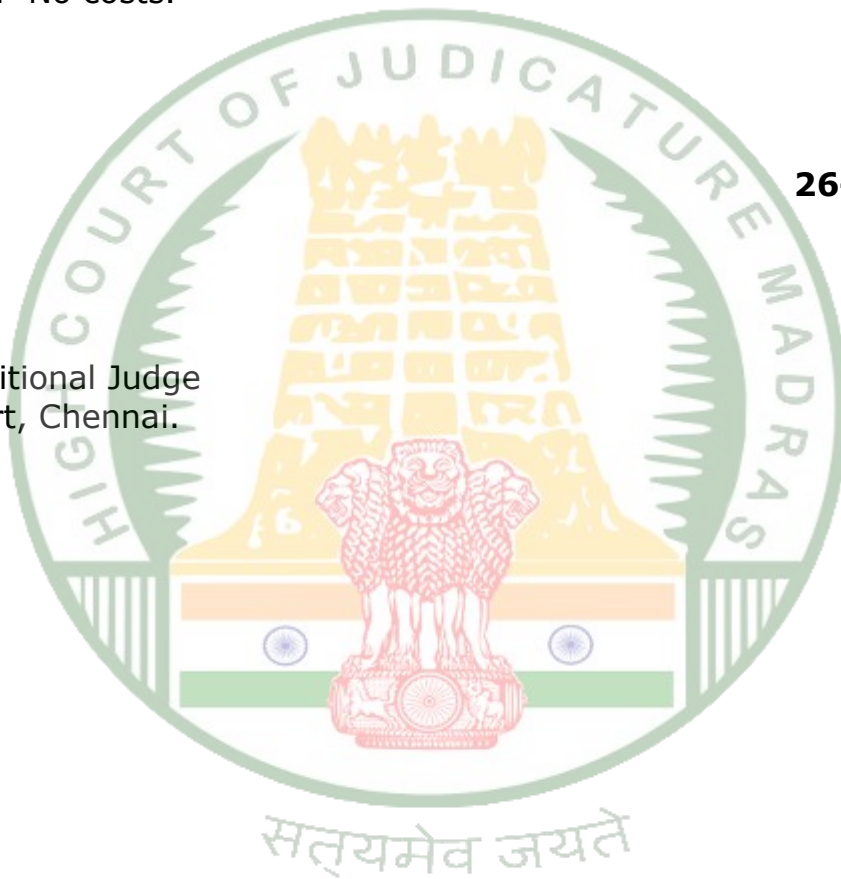
days from the date of receipt of a copy of this order and after disposing of the interlocutory applications, thereafter the Court shall proceed to take up the main H.M.O.P., for hearing and decide the same within a reasonable time. With the above directions, this Civil Revision Petition is disposed of. No costs.

KST

To

The 2nd Additional Judge
Family Court, Chennai.

26-11-2019

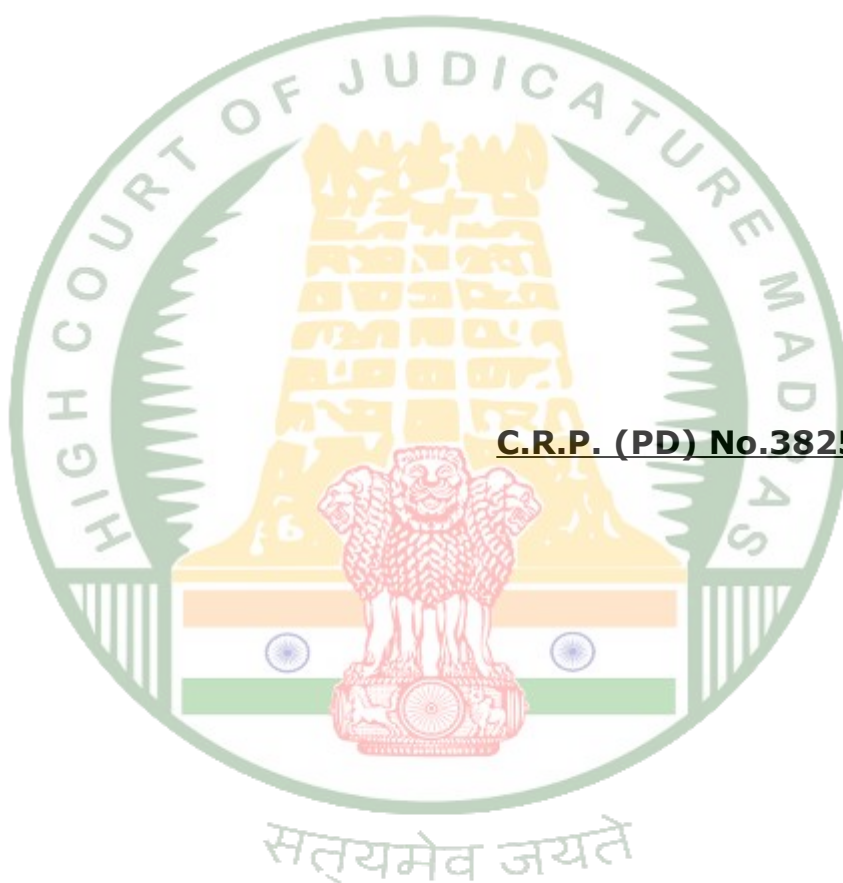


WEB COPY

C.R.P.(PD) No.3825 of 2019

R.SURESH KUMAR, J.

KST



C.R.P. (PD) No.3825 of 2019

WEB COPY

26.11.2019