



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2019

CORAM

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

C.R.P. (PD) (MD) No.632 of 2019

P.Suhasini

... Petitioner/Petitioner

Vs.

V.Ravivarman

... Respondent/Respondent

PRAYER:- Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the Family Court, Madurai to dispose the petition in HMOP No.387 of 2017 in a strict manner within a stipulated time as directed by this Court.

For Petitioner : C.Vakeeswaran

ORDER

This civil revision petition has been filed under Article 227 of the Constitution of India, seeking the relief to direct the Family Court, Madurai, to dispose H.M.O.P.No.387 of 2017 within a time frame.

2.Now on go through the docket entries maintained by the Presiding Officer, Family Court, Madurai, it is found that the petitioner filed a petition on 24.05.2017. Subsequently, on receipt of summons the respondent entered into appearance and filed his counter within three adjournments. Thereafter, in order to follow the procedures laid down under the Family Court Act, the dispute between the petitioner and respondent, was referred to mediation. Thereafter, the matter is repeatedly adjourned till 12.10.2018. Only on 12.10.2018, the Presiding Officer received the mediation report. Since the dispute is not settled between the parties, immediately the case was posted for enquiry. Thereafter, on 03.01.2019 the petitioner was appeared before the Court and filed a proof affidavit and thereafter, the case was adjourned for the cross examination of P.W.1, by the respondent.

3.The entries made in the notes papers will clearly reveals that there was a considerable progress is made in each and every hearings. In the said circumstances, I am of the considered



opinion that it cannot be say that the petition mentioned case was kept pending without any progress. However, the learned counsel appearing for the petitioner would contend that since the petitioner is aged about 33 years, the elders in her family are all making arrangements for second marriage to her. Even though, the said reason stated by the learned counsel for the petitioner is genuine one, considering the pendency of the case before the Family Court, Madurai, issuing a specific direction to dispose of the case within a time frame manner, is not proper.

4.However, this Court is directed th e Family Court, Madurai to dispose of H.M.O.P.No.387 of 2017 as early as possible without affording long adjournment to either parties.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To
The Judge,
Family Court,
Madurai.

+1 CC to M/s.C.VAKEESWARAN, Advocate (SR-57327[F] dated 28/03/2019)

CP

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