



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.06.2019

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P (MD) .No.870 of 2019 (PD)

WEB COPY

S.Sathees Kumar

S/o.Sethuraman

rep. through his father and Power Agent

Sethuraman.

... Petitioner/Petitioner

Vs.

Morohina

... Respondent/Respondent

PRAYER:- Civil Miscellaneous Petitions filed under Article 227 of the Constitution of India, praying to direct the learned Family Court Judge, Madurai to dispose of H.M.O.P.No.610 of 2017 within a time to be fixed by this Court.

For petitioner : Mr.D.Senthil

ORDER

This civil revision petition has been filed by the petitioner seeking a direction to the learned Family Court Judge, Madurai to dispose of H.M.O.P.No.610 of 2017 pending on his file within a stipulated time.

2. The learned counsel for the petitioner submitted that the marriage between petitioner and the respondent was solemnized on 16.11.2011 and they lived together for some time. Due to difference of opinion between them, the petitioner filed H.M.O.P.No.610 of 2017 for dissolution of marriage before the Family Court, Madurai. He would further submit that as per Section 21(b) of the Hindu Marriage Act, every petition filed under the Act shall be tried as expeditiously as possible and the trial shall be concluded within a period of six months from the date of service of notice on the petition. The grievance of the petitioner is that though the H.M.O.P. has been filed in the year 2017, the respondent has been intentionally dragging on the matter one way or the other. The petitioner is ready to cooperate with the Court below. Hence, he has filed this revision petition seeking a direction for early disposal of the said petition.

3. Heard the learned counsel for the petitioner.

4. In view of the limited relief sought for by the petitioner and considering the fact that no prejudice would be caused to the respondent by ordering this petition, this Court is of the view that notice need not be sent to the respondent.



5. Considering the submission of the learned counsel for the petitioner and also considering the year of the H.M.O.P, this Court is inclined to issue the following direction to the Court below:

The learned Family Court Judge, Madurai, is directed to dispose of H.M.O.P.No.610 of 2017 on merits and in accordance with law, as early as possible, preferably within a period of six months from the date of receipt of a copy of this order. In the event of pendency of a petition for restitution of conjugal rights or maintenance against the petitioner, the learned Family Court Judge, Madurai shall try both the cases together and dispose of the same within the time stipulated above. Both the parties are directed to cooperate with the Court below for early disposal of the case.

6. This revision petition is disposed of accordingly. No costs.

sd/
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar(CS)

To

The Family Court Judge,
Madurai.

+1 CC to Mr.D.SENTHIL, Advocate (SR-69301[F] dated 18/06/2019)

C.R.P(MD) .No.870 of 2019 (PD)
17.06.2019

gcg

MK (25.06.2019) 2P 3C