



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.06.2019

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

C.R.P(MD)Nos.875 and 876 of 2019(PD)

K.Babu

.. Petitioner/ Petitioner

Vs.

Nithiya

.. Respondent/ Respondent

COMMON PRAYER: Civil Revision Petitions are filed under Article 227 of the Constitution of India praying to direct the Additional Sub Court, Thanjavur to expeditiously dispose of H.M.O.P.Nos.172 and 190 of 2017 within the time frame fixed by this Court.

For petitioner

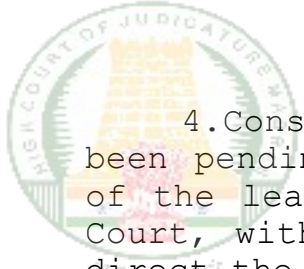
: Mr.R.Vijayakumar

COMMON ORDER

These civil revision petitions have been filed by the petitioner seeking for a direction to the learned Additional Sub Judge, Thanjavur to dispose of H.M.O.P.Nos.172 and 190 of 2017 within a stipulated time.

2.According to the revision petitioner, he has filed H.M.O.P.No.172 of 2017 seeking divorce. The respondent has filed her counter on 05.01.2018. The respondent has also filed H.M.O.P.No.190 of 2017 for restitution of conjugal rights, wherein the revision petitioner has filed his counter on 24.11.2017. The grievance of the revision petitioner is that though H.M.O.P.Nos.172 and 190 of 2017 have been filed in the year 2017 and Transfer O.P.No.68 of 2018 was dismissed, the above petitions have been adjourned on various dates for enquiry and therefore, the revision petitioner has filed these revision petitions seeking a direction for early disposal of H.M.O.P.Nos.172 and 190 of 2017.

3.Heard the learned counsel for the revision petitioner. In view of the limited relief sought for by the petitioner and also considering the fact that the disposal of H.M.O.P.Nos.172 and 190 of 2017 would not cause any prejudice to the respondent, this Court is of the view that notice need not be sent to the respondent.



4.Considering fact that H.M.O.P.Nos.172 and 190 of 2017 have been pending from 2017 onwards and also considering the submission of the learned counsel appearing for the revision petitioner, this Court, without advertting to the merits of the case, is inclined to direct the Court below to dispose of H.M.O.P.Nos.172 and 190 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. The Court below is directed to send the compliance report to the Registry of this Court. Both the parties are directed to cooperate with the Court below for early disposal of the suit.

5.Accordingly, these Civil Revision Petitions are disposed of. No costs.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(CS-)

smn

To

1.The Additional Sub Judge,
Thanjavur.

2.The Section Officer, Judicial Section,
Madurai Bench of Madras High Court,Madurai.

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

+1 CC to M/s.R.VIJAYAKUMAR, Advocate
(SR-69539[F] dated 18/06/2019)

**COMMON ORDER MADE IN
C.R.P(MD)Nos.875 and 876 of 2019(PD)
18.06.2019**

ES/24.06.2019/2P/6C