



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.08.2019

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P (MD)No.1443 of 2019

M.V.Rajan

.. Petitioner

Vs.

R.Sivasangari

.. Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India praying to direct the learned Principal Sub Judge, Trichy to dispose H.M.O.P.No.164 of 2018 in a strict manner within a stipulated time as directed by this Court.

For petitioner

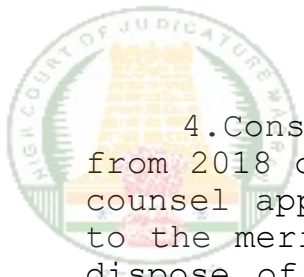
: Mr.N.Sudhagar Nagaraj

ORDER

This civil revision petition has been filed by the petitioner seeking for a direction to the Principal Sub Court, Trichy to dispose of H.M.O.P.No.164 of 2018 within a stipulated time.

2.According to the petitioner, the marriage between the petitioner and the respondent was solemnized on 03.05.1992. After marriage, both of them lived happily for some time and they blessed with a male child. Since the respondent / wife left the matrimonial home and deserted the petitioner / husband, he has filed H.M.O.P.No.164 of 2018 seeking divorce. The Court below has ordered notice to the respondent on 22.10.2018. Though the respondent / wife has received notice, she did not appear before the Court below for the hearings on 23.10.2019 and 18.02.2019. After one year, she has filed vakalat on 10.06.2019. The grievance of the petitioner is that though the divorce petition has been filed in the year 2018, the same is still pending for trial and the same has been adjourned to 09.12.2019 without any valid reason and therefore, he has filed this revision petition seeking a direction for early disposal of H.M.O.P.No.164 of 2018.

3.Heard the learned counsel for the petitioner. In view of the limited relief sought for by the petitioner and also considering the fact that the disposal of the divorce petition 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 the divorce petition has been pending from 2018 onwards and also considering the submission of the learned counsel appearing for the 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.No.164 of 2018 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. Both the parties are directed to cooperate with the Court below for early disposal of H.M.O.P.No.164 of 2018.

5.Accordingly, this Civil Revision Petition is disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar

To

1.The Principal Sub Judge,
Trichy.

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

+1 CC to M/s.N.SUDHAGAR NAGHARAJ, Advocate (SR-83660[F] dated 27/08/2019)

ORDER MADE IN
C.R.P (MD)No.1443 of 2019
26.08.2019

smn
MS/16.09.2019/2P.5C