



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2019

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P (MD) No.1201 of 2019

WEB COPY

S.Sivakumar

... Petitioner/ Respondent

Vs.

U.Sakthi Veeralakshmi

... Respondent/Petitioner

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India praying to direct the Family Court, Srivilliputhur to dispose H.M.O.P.No.114 of 2017 within stipulated time fixed by this Court on merits in accordance with law.

For petitioner

: Mr.R.Nandakumar

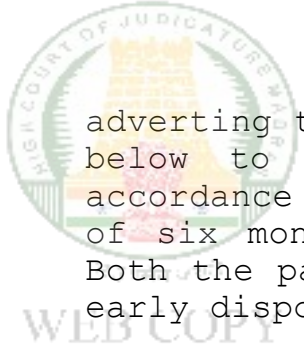
ORDER

This civil revision petition has been filed by the petitioner/ respondent seeking for a direction to the Family Court, Srivilliputhur to dispose of H.M.O.P.No.114 of 2017 within a stipulated time.

2.According to the petitioner/respondent, the marriage between the petitioner and the respondent was solemnized on 30.08.2007. After marriage, both of them lived happily for some time and they blessed with a female child and the child is now aged about 10 years. Since the respondent / wife deserted the petitioner and left the matrimonial home, the petitioner filed M.P.No.879 of 2011 before the Court of Civil Judge (S.D.), at Kalyan, Maharashtra. The respondent filed Tr.C.M.P.No.239 of 2013 before the Hon'ble Supreme Court, seeking transfer of M.P.No.879 of 2011 and the Hon'ble Supreme Court, vide order, dated 26.07.2016, allowed the said petition and transferred M.P.No.879 of 2011 to the Family Court, Srivilliputhur. The grievance of the petitioner is that though the divorce petition has been filed in the year 2011, the respondent/wife has been dragging on the matter one way or the other and therefore, he has filed this revision petition seeking a direction for early disposal of the suit.

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 2011 onwards and also considering the submission of the learned counsel appearing for the petitioner, this Court, without



adverting to the merits of the case, is inclined to direct the Court below to dispose of H.M.O.P.No.114 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. Both the parties are directed to cooperate with the Court below for early disposal of H.M.O.P.No.114 of 2017.

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

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Judge,
Family Court,
Srivilliputhur.
2. The Record Keeper,
V.R. Section, (2 copies)
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.R.NANDAKUMAR, Advocate (SR-78173[F] dated 29/07/2019)

ORDER MADE IN
C.R.P (MD) No.1201 of 2019
29.07.2019

SMN

MK (09.08.2019) 2P 5C