



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.08.2019

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P (MD)No.1239 of 2019

G.Gomathi

... Petitioner/Plaintiff

vs.

Murugan

... Respondent/Defendant

Petition filed under Article 227 of the Constitution of India, to issue a direction for speedy disposal of the suit in O.S.No.277/2018 pending on the file of the Sub Court, Sankarankovil and to pass orders as expeditiously as possible within a stipulated time fixed by this Hon'ble Court.

For Petitioner : Mr.K.Samidurai
For Respondent : No appearance

ORDER

This revision petition has been filed for a direction to the learned Subordinate Judge, Sankarankovil, to dispose of O.S.No.277/2018 within a time frame to be fixed by this Court.

2.Learned counsel for the petitioner would aver among other things that the marriage between the petitioner and respondent was solemnized in the year 1980 at Sankarankovil and out of the wedlock, a female child was born to them on 10.05.1982. Later, the respondent neglected the petitioner and his child and without obtaining divorce from this petitioner, the respondent had married one shanthi on 04.04.1990 and is living with her. Hence, the petitioner filed the suit for maintenance against her husband in O.S.No.277 of 2018 on the file of the Sub-Court, Sankarankovil praying for Rs.25,000/- as monthly maintenance from the date of the suit and prayed to pass charge decree for the amount of maintenance if ordered on half portion of the plaint scheduled mentioned property along with I.A.No.944 of 2018 in O.S.No.277 of 2018 on the same Court and prayed for injunction not to alienate or encumber the half portion of the plaint schedule mentioned property and that I.A. had been allowed. The grievance of the petitioner is that the suit is not disposed of and the respondent did not care to provide even interim maintenance to maintain herself. In the above back drop, this Civil Revision Petition has been filed.



3.Despite service of notice, the respondent is not present either by himself or through counsel and since it is only a petition for early disposal of the suit, this Court is inclined to pass orders.

4.It is the sacred duty of the husband to maintain his wife and though the suit is of the year 2018, considering the contention of the petitioner that her husband during the subsistence of marriage, has contracted another marriage and since the suit itself is filed for maintenance, the learned Judge is directed to dispose of the suit within a period of three months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS-II)

/TRUE COPY/

Sub Assistant Registrar

To

The Sub Judge,
Sankarankovil.

+1. C.C. to M/S.K.SAMIDURAI, Advocate SR.No. 81747

C.R.P(MD)No.1239 of 2019

14.08.2019

bala

JM/01.10.2019/2P/3C