



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2019

CORAM

WEB COPY

THE HON'BLE MRS.JUSTICE J.NISHA BANU

C.R.P.(MD) No.1286 of 2019

G.Saravanachandran

... Revision Petitioner/Petitioner

-Vs-

R.Jones Anitha Rani

...Respondent/Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned I Additional District Judge, Tirunelveli to dispose the case in E.P.No.1 of 2018 in I.A.No.87 of 2016 in D.O.P.No.170 of 2014 in a specified time frame fixed by this Court.

For Petitioner : Mr.M.P.Dhamodaran

O R D E R

This Civil Revision Petition has been filed seeking a direction to the learned I Additional District Judge, Tirunelveli to dispose the case in E.P.No.1 of 2018 in I.A.No.87 of 2016 in D.O.P.No.170 of 2014 within the time stipulated by this Court.

2.The learned counsel for the petitioner would submit that the petitioner has filed a divorce petition in D.O.P.No.170 of 2014 to declare the marriage dated 22.12.2008 between the petitioner and respondent, as null and void. Pending the said D.O.P., the petitioner filed an interlocutory application in I.A.No.87 of 2016 for directing the respondent to produce the petitioner's passport. After perusing the oral and documentary evidence, the learned Judge has allowed the I.A.No.87 of 2016 and directed the respondent to produce the petitioner's passport before the Court or hand over to the petitioner and if any failure, the petitioner is entitled to execute the order of the Court. Since the respondent failed to comply with the said order, E.P.No.1 of 2018 has been filed by the petitioner. The grievance of the petitioner is that, without any reasonable cause, the learned Judge repeatedly adjourning the case by several subsequent dates. Hence, the petitioner before this Court for getting speedy disposal of the E.P.No.1 of 2018.



3. Since this Civil Revision Petition is filed for early disposal of the execution petition, no notice is necessary to the respondent herein.

4. Considering the facts and circumstances of the case, this Court feels that ends of justice would be met by directing the Court below to dispose the execution petition within a time frame. Without advertent to the merits of the case, a direction is issued to the learned I Additional District Judge, Tirunelveli to dispose the execution petition in E.P.No.1 of 2018 in I.A.No.87 of 2016 in D.O.P.No.170 of 2014 on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

The I Additional District Judge
Tirunelveli

+1 CC to M/s.M.P.DHAMODARAN,Advocate (SR-80214[F] dated 07/08/2019)

C.R.P. (MD) No.1286 of 2019
06.08.2019

msa

JMN(19.08.2019) 2P : 3C