



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2019

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P (MD) .No.1318 of 2019

K.Ilavarai @ Uma

... Petitioner/
Respondent

Vs.

M.Kamaraj

... Respondent/
Petitioner

PRAYER:- Civil Revision Petition filed under Article 227 of the Constitution of India, praying to direct the learned Additional Subordinate Judge, Srivilliputhur, to expeditiously dispose of H.M.O.P.No.102 of 2018 within a time frame filed by this Court.

For petitioner

: Mr.A.John Vincent

ORDER

This civil revision petition has been filed by the petitioner seeking a direction to the learned Additional Subordinate Judge, Srivilliputhur, to dispose of H.M.O.P.No.102 of 2018 pending on his file, within a stipulated time.

2. The learned counsel for the petitioner submitted that the respondent herein filed H.M.O.P.No.110 of 2016 on the file of the Subordinate Court, Virudhunagar, for divorce. Based on the Transfer Original Petition filed by the petitioner herein, H.M.O.P was transferred to the file of the Additional Subordinate Court, Srivilliputhur and renumbered as H.M.O.P.No.102 of 2018. The petitioner herein already filed her counter to H.M.O.P. on 03.02.2017. The grievance of the petitioner is that though the petitioner herein has already filed her counter statement and she is ready to cooperate with the Court below for disposal of the petition, the respondent / petitioner has been intentionally dragging on the matter one way or the other and the Court below also has been adjourning the matter periodically. The enquiry is still pending in this matter. Hence, she has filed this revision petition seeking a direction for early disposal of H.M.O.P.No.102 of 2018.

3. Heard the learned counsel for the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>



4. In view of the limited relief sought for by the petitioner and considering the fact that no prejudice would be caused to the respondent by ordering this petition, this Court is of the view that notice need not be sent to the respondent.

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5. Considering the limited relief sought for by the petitioner in this petition, year of the H.M.O.P. and stage of the petition, this Court, without going into the merits of the case, is inclined to issue the following direction to the Court below:

The learned Additional Subordinate Judge, Srivilliputhur, is directed to dispose of H.M.O.P.No.102 of 2018 on merits and in accordance with law as expeditiously 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 the case.

6. This revision petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

Sub Assistant Registrar(CS)

To
The Additional Subordinate Judge,
Srivilliputhur.

+1 CC to M/s.A.JOHN VINCENT, Advocate (SR-80613[F] dated 08/08/2019)

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