



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **30.09.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

CRP(MD)No.1743 of 2019

Sardhani Begam

... Petitioner

versus

Nausath

... Respondent

Civil Revision Petition filed under Article 227 of Constitution of India, seeking a direction to the learned Judge, Family Court, Madurai, to dispose of GWOP No.1 of 2018 within a time frame to be fixed by this Court.

For Petitioner : Mr.R.Ramasamy

ORDER

The revision petitioner is the wife of the respondent herein. She filed a petition in GWOP No.1 of 2018 before the Family Court, Madurai, seeking the relief of declaration, declaring her as guardian for her two children and also for the relief of visitation rights.

2. It is the case of the revision petitioner that she married the respondent herein on 02.06.2002 and out of the wedlock, she gave birth to a male and female child. After the birth of female child, difference of opinion arose between them and hence, they were separated. Now, the revision petitioner is living along with her parents and used to visit her children. But, the respondent, on 29.10.2017, refused her to see the children and thereafter, he is purposely not allowing her to visit the children. Hence, she filed GWOP No.1 of 2018 before the Family Court, Madurai, seeking the relief of declaration, declaring her as guardian for her two children and also for the relief of visitation rights.

3. It is the grievance of the revision petitioner that she filed the petition in GWOP No. 1 of 2018 in the month of December 2018 and the respondent also filed his counter in the month of May 2019. However, the said petition has not been disposed of till date.

4. The learned counsel appearing for the revision petitioner submits that as per Judicial Notification No.C-5 CAS/2007 Tamil Nadu Case Flow Management in Subordinate Courts/Rules 2007, the said GWOP petition should be disposed of within a period of nine months from the date of filing. But, the



same has not been disposed of till date. Hence, the revision petitioner seeks a direction of this Court for early disposal of the said GWOP within a time frame to be fixed by this Court.

5. Considering the facts and circumstances of this case and in view of Judicial Notification No.C-5 CAS/2007 Tamil Nadu Case Flow Management in Subordinate Courts/Rules 2007, this Court directs the learned Judge, Family Court, Madurai, to dispose of GWOP No.1 of 2018, on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar(CS)

ogy

To

The Judge
Family Court,
Madurai,

+1 CC to M/s.R.RAMASAMY, Advocate (SR-90285[F] dated 30/09/2019)

CRP (MD) No.1743 of 2019

30.09.2019

KM/(21.10.2019) 2P 3C