



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

C.R.P (MD)No.1854 of 2019

WEB COPY

Sonny Karkada @ Immanuel Gladston Karkada

... Petitioner/Respondent

Vs.

S. Megala

... Respondent/Petitioner

PRAYER: This Civil Revision Petition is filed under Article 227 of Constitution of India seeking direction to dispose of the IDOP.No.85 of 2018 on the file of learned Principal District Judge, Dindigul within the period stipulated by this Court.

For Petitioner : Mr. S. Ponsenthilkumarn

ORDER

This Civil Revision Petition has been filed for issuing a direction to the learned Principal District Judge, Dindigul, to dispose of the IDOP.No.85 of 2018, pending on its file within a time frame to be fixed by this Court.

2. According to the petitioner, the respondent herein, who is the wife of the petitioner / husband has filed IDOP.No.85 of 2018, on the file of the Principal District Court, Dindigul, for Restitution of Conjugal Rights and the same was posted for enquiry on 15.03.2019 and thereafter, it has been periodically adjourned without any progress. In such circumstances, he filed the present petition seeking a direction to dispose of the IDOP.No.85 of 2018 at the earliest.

3. In view of the Judicial Notification No.C-5 CAS/2007, Tamil Nadu (Case Flow Management in Subordinate Courts) Rules, 2007, dated 23.11.2017, based on the order passed by the Hon'ble Supreme Court in ***W.P(Civil).No. 496 of 2002, (Salem Advocates Bar Association, Tamil Nadu Vs. Union of India)***, the learned counsel contended that IDOP must be disposed of within a period of 12 months from the date of filing.

4. In view of the limited relief sought for by the petitioner and considering the fact that no prejudice would be

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caused to the respondent by ordering this petition, this Court is of the view that notice need not be sent to the respondents.

5. Considering the facts and circumstances of the case and also the submission made by the learned counsel appearing for the petitioner and the judicial Notification No.C-5 CAS/2007, Tamil Nadu (Case Flow Management in Subordinate Courts) Rules, 2007, dated 23.11.2017, this Court is inclined to issue a direction to the Court below to dispose of the said IDOP within a time frame.

6. Accordingly, the learned Principal District Judge, Dindigul, is hereby directed to dispose of the IDOP.No.85 of 2018, pending on its file as expeditiously as possible, in any event, not later than four months from the date of receipt of a copy of this order.

7. This Civil Revision petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (C.O)

// True Copy //

Sub Assistant Registrar(CS)

trp

To

The Principal District Judge, Dindigul.

+1 CC to M/s.S.PONSENTHIL KUMARAN, Advocate SR-92987.

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