

C.M.P. 2531 of 2020
and
C.R.P. PDs 1545 & 2652 of 2019

V.BHARATHIDASAN, J.

This court by an order dated 18.12.2019 directed the learned Subordinate Judge, Tambaram to dispose the petition in H.M.O.P. 659 of 2017 on merits in accordance with law on or before 31.01.2020. Since the H.M.O.P. could not be disposed of, the respondent husband filed the present petition seeking for extension of time.

2. Earlier, when the matter came up for hearing, it was stated that, no Presiding Officer is posted in Sub-Court, Tambaram, and Subordinate Judge, Chenglepet is incharge for the above said court, and he is sitting in the Sub-Court, Tambaram once in a week. Hence, he could not dispose the H.M.O.P. within a time frame. Hence, a report was called for from the Principal Subordinate Judge, Tambaram.

3. Today, the report received from Principal Subordinate Judge, Tambaram placed before this Court, and on perusal of report, it could be seen that, the trial already commenced, the documents on the side of petitioner has been marked, and the matter is posted for cross-examination of P.W.1. However, since

the petitioner husband did not cooperate to conduct the trial, he is not in a position to complete the trial as stipulated by this Court. From the report, it could also be seen that, only for the non-cooperation of the petitioner husband, the trial is being delayed. However, considering the fact that, as there is no Presiding Officer in Sub-Court, Tambaram, and Subordinate Judge, Chenglepet is sitting in the court once in a week, I am of the considered opinion that, the H.M.O.P. cannot be disposed of at the earliest.

3. In the above circumstances, for the early disposal of H.M.O.P.s, both H.M.O.P.s 571 of 2018 and 659 of 2017 are withdrawn from the file of Sub-Court, Tambaram, and transferred to Addl. Sub-Judge, Chenglepet. The learned Addl. Sub-Judge, Chenglepet is directed to dispose both H.M.O.P.s on or before 31.03.2020. Both the parties are directed to co-operate with the trial.

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18.02.2020

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Note : Issue order copy on 21.02.2020

V.BHARATHIDASAN,J.

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and
C.R.P. PDs 1545 &
2652 of 2019

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