

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28..02..2020

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Civil Revision Petition No.914 of 2020

Senthilkumar

...Petitioner

-Versus-

R.Krithika

...Respondent

Petition filed under Article 227 of The Constitution of India, praying for a direction to the learned Subordinate Judge, Mettur, Salem District, to dispose of the Original Petition in H.M.O.P.No.161 of 2018 within the stipulated period that may be fixed by this court.

For Petitioner : Mr.S.Arivazhagan

ORDER

This civil revision petition has been filed seeking a direction to the learned Subordinate Judge, Mettur, Salem District, for early disposal of the Original Petition in H.M.O.P.No.161 of 2018, preferably, within the time frame to be fixed by this court.

2. The petitioner is the husband of the respondent. He has filed the original petition for divorce on the ground of cruelty. The above said Original Petition was filed in the year 2018. Pending original petition, the respondent herein filed an interlocutory application under Section 24 of The Hindu Marriage Act, 1955 seeking interim maintenance which was ordered and the petitioner has been paying interim maintenance to the respondent regularly. The grievance of the petitioner is that though the divorce petition has been pending since 2018, there has been no progress in the trial. Hence, he has no other option except to approach this court with this revision petition for appropriate direction to the court below for early disposal of the divorce petition.

3. Considering the limited relief sought for in this revision petition and the other facts and circumstances of the case, this court is of the view that no notice is necessary as no prejudice would cause to the other side if a direction is issued to the court below for early disposal of the original petition.

4. I have heard the learned counsel for the petitioner and also perused the records carefully.

5. In view of the limited nature of the relief sought for and on considering the facts and circumstances of the case, without going into the merits of the case, this court is inclined to direct the learned Judge to dispose of the original petition at the earliest. Accordingly, the learned Subordinate Judge, Mettur, Salem District, is directed to take up the case in H.M.O.P.No.161 of 2018 for trial and dispose of the same on merits and in accordance with law, within a period of six months from the date of receipt of a copy of this order. This civil revision petition is disposed of accordingly with the above directions. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

kmk

To

1.The Subordinate Judge, Mettur, Salem District.

+1cc to Mr.S.Arivazhagan, Advocate, S.R.No.18654

C.R.P.No.914 of 2020

GMR (CO)
KKV/20/07/2020

सत्यमेव जयते

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