

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19/3/2020

C O R A M

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

Civil Revision Petition PD No.1209 of 2020

1. S. Sella Kumaran

2. Jebamani Indra

Petitioners

Petition filed under Article 227 of the Constitution of India to direct the learned Sub-Judge, Tambaram to take up and decide the advance hearing petition in I.A.No.27 of 2020 along with the application to waive the statutory period of six months and dispose of Section 13 B mutual divorce petition in H.M.O.P.No.17 of 2020, within the time fixed by this Court.

For petitioners

Mr.K. Premkumar

ORDER

Instant Civil Revision Petition has been filed to direct the learned Sub-Judge, Tambaram, to take up and decide the advance hearing

petition in I.A.No.27 of 2020 along with the application to waive the statutory period of six months and dispose of Section 13 (B) Mutual Divorce Petition in H.M.O.P.No.17 of 2020.

2. The facts in brief are as follows:-

H.M.O.P.No.17 of 2020, a joint petition for divorce, has been filed by the petitioners, under Section 13 (B) of the Hindu Marriage Act, 1955, before the Sub-Court, Tambaram, on 9/12/2019. I.A.No.27 of 2020 has been filed, on 10/1/2020, to advance the hearing date of H.M.O.P.No.17 of 2020 from 23/8/2020 to an earlier date.

3. The grievance of the petitioners is that the learned Sub-Judge ought to have heard the advance hearing petition in I.A.No.27 of 2020 and decide the same along with the application filed by the petitioners to waive the statutory waiting period of six months and finally dispose of H.M.O.P.No.17 of 2020 after waiving cooling off period.

4. Considering the fact that the petitioners have mutually agreed to dissolve the marriage, this Court is inclined to pass the following order:-

The Sub-Court, Tambaram is directed to dispose of the application in I.A.No.27 of 2020 on or before 16/4/2020 in the abovesaid O.P. The Sub-Court, Tambaram is further directed to dispose of H.M.O.P.No.17 of 2020, as expeditiously as possible, after taking into consideration the recent judgment of the Hon'ble Supreme Court in **AMARDEEP SINGH Vs. HARVEEN KAUR** {(2017) 8 SCC – 746}.

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

सत्यमेव जयते

19/3/2020

Index : Yes/No

Internet: yes/No

Speaking/Non-speaking order

mvs.

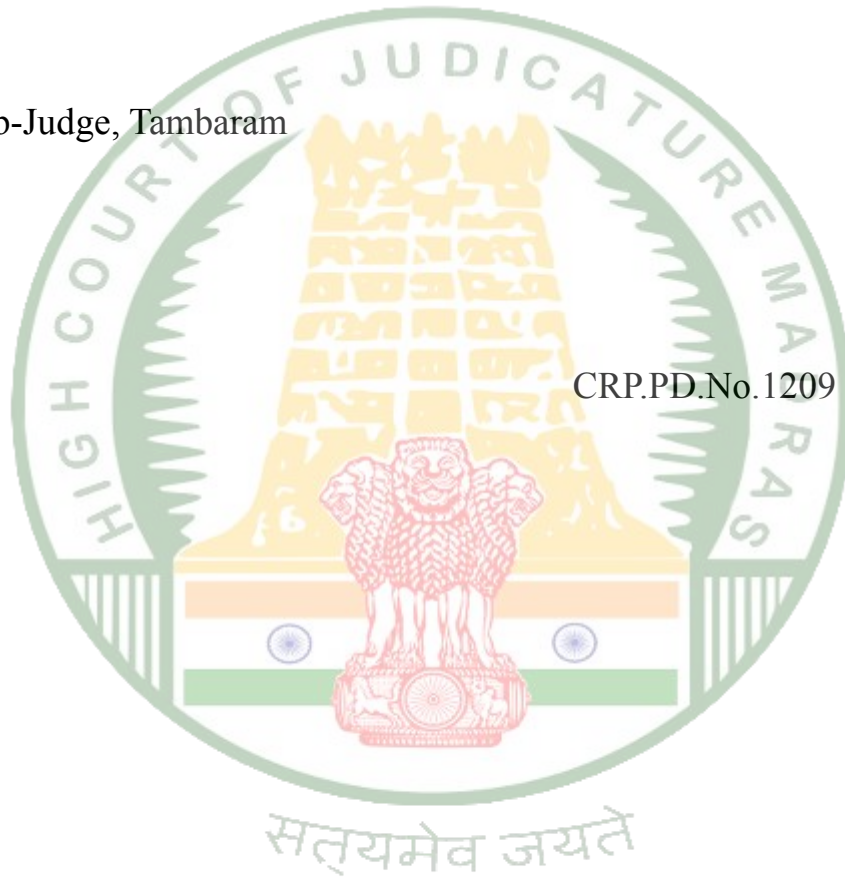
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D.KRISHNAKUMAR,J

mvs.

To

The Sub-Judge, Tambaram



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