



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2020

CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDAR

C.R.P. (PD) (MD)No.448 of 2020

M.Kavishankar : Revision Petitioner/Petitioner/
Petitioner

.. Vs ..

P.Chitra Devi : Respondent/Respondent/Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the learned Judge, Family Court, Madurai, to dispose the case in I.A.No.565 of 2019 in H.M.O.P.No. Unnumbered of 2016 on the file of the Family Court, Madurai, within a time frame fixed by this Court.

For Petitioner :No Appearance

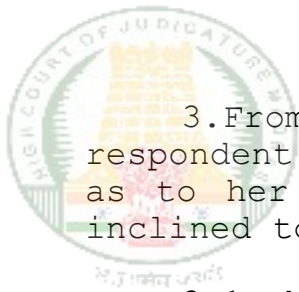
For Respondent :No Appearance

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ORDER

This Civil Revision Petition is filed for getting a direction to the learned Judge, Family Court, Madurai, to dispose of I.A.No.565 of 2019 in H.M.O.P.No. Unnumbered of 2016.

2.In response to the direction issued to the Registry to get the status report from the Family Court, Madurai, the learned Judge, Family Court, Madurai, has submitted a letter to the Registrar (Judicial) of this Bench, wherein, the learned Judge has stated that I.A.No.565 of 2019 is filed for appointing the father of respondent/wife as a natural guardian to defend the case filed by the revision petitioner against his wife/respondent. It is further stated that during the pendency of I.A.No.565 of 2019, the revision petitioner filed another application in I.A.No.49 of 2019 to send the respondent/wife for medical examination to ascertain about her mental disorder and her fitness to procreation of children as a normal woman. It is also stated that the lower Court has passed an order directing the Dean, Government Rajaji Hospital, Madurai, to arrange for necessary medical examination for respondent by a lady Doctor. It is further stated that for want of report from the Government Rajaji Hospital, Madurai, the case is being unnecessarily adjourned.



3.From the letter, this Court is unable to see whether the respondent appeared before the Medical Board for medical examination as to her mental capacity. In such circumstances, this Court is inclined to issue the following directions:

3.1.The learned Presiding Officer, Family Court, Thanjavur, is directed to ensure the appearance of respondent/wife before the Medical Board or Medical Officer nominated by Dean, Government Rajaji Hospital, Madurai, and then dispose of I.A.No.565 of 2019 and the unnumbered H.M.O.P., within a period of eight months from the date of receipt of the copy of report from the Dean, Government Rajaji Hospital, Madurai,

4.With the above directions, this Civil Revision Petition is dismissed. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

The Judge, Family Court, Madurai.

Copy to:

The Dean,
Government Rajaji Hospital
Madurai.

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