



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

C.R.P. (PD) (MD)No.782 of 2020

WEB COPY

1.Meenakshi
2.Kanagasabai

... Petitioners/Petitioners
Vs.

Nil

... Respondents/Respondents

PRAYER: The Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order dated 12.10.2020 passed by the learned Family Judge, Madurai in un-numbered OP filing No./464/2020 and consequently, direct the learned Family Judge, Madurai to assign main number then dispose of the Main Petition within stipulated time framed by this Court by waiving off the cooling period under Section 13-B(2) of the Hindu Marriage Act, 1955.

For Petitioners : Mr.RM.Arun Swaminathan

ORDER

This Civil Revision Petition has been filed to set aside the order, dated 12.10.2020 passed by the learned Family Judge, Madurai in un-numbered OP filing No./464/2020 and consequently, direct the learned Family Judge, Madurai to assign main number, then dispose of the Main Petition within stipulated time framed by this Court by waiving off the cooling period under Section 13-B of the Hindu Marriage Act, 1955.

2.This Court has heard the submissions of the learned counsel for the petitioners and perused the materials available on record.

3.A petition was filed by the parties herein under Section 13-B of the Hindu Marriage Act on 06.08.2020. But the papers were returned on 12.08.2020 indicating certain defects. After curing the said defects, the papers were re-presented on 19.08.2020.

4.The allegation made is that the Sheristadar of the Family Court, Madurai, has not returned the papers physically to the parties and kept it with him till 12.10.2020. It is also alleged that the counsel for the petitioners has been repeatedly meeting the Sheristadar during these (Covid-19) days, but he was indifferent



and the attempt of their counsel to meet the Presiding Officer could not be achieved due to Covid-19 and other reasons.

5. This Court does not want to get into the nature of the allegations made against the Sheristadar of the Family Court, Madurai instead directs the Presiding Officer, Family Court, Madurai to personally verify, whether the papers are in order.

6. The learned Principal District Judge, Madurai is also required to enter a preliminary enquiry on the alleged conduct of the Sheristadar of the Family Court, Madurai to ascertain whether there is any truth in the allegations made against him.

7. With the above direction, this petition is disposed of accordingly.

8. The Registry is directed to return the original petition forthwith to the petitioners.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

CM

To

1.The Family Judge, Madurai.

2.The Principal District Judge,
Madurai.

3.The Section Officer
V.R.Section, Madurai Bench of Madras High Court,
Madurai (2 COPIES)

4.The Section Officer
E.R.Section, Madurai Bench of Madras High Court,
Madurai

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