

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 17.03.2021

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

C.R.P.(PD)No.562 of 2021

Arun Kumar

...Petitioner

Vs

Mrs.M.Gomathi

...Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to issue a suitable direction to the learned Subordinate Judge, Gingee, to dispose of the pending H.M.O.P.No.28 of 2019, on his file.

For Petitioner : Mr.R.Thanjan

O R D E R

The limited prayer sought for in this petition is for speedy disposal of the H.M.O.P.No.28 of 2019, which is pending before the trial Court.

2. The petitioner herein has filed the petition in H.M.O.P.No.28 of 2019, before the learned Subordinate Judge, Gingee, seeking for Divorce against the respondent, which has been kept pending from the year 2019 without any progress.

3. The learned counsel for the petitioner would submit that the respondent has filed a Domestic Violence Case in D.V.C.No.6 of 2019, with a view to harass the petitioner and only to drag on the proceedings. Hence, the learned counsel prays to allow this petition by fixing up a time limit for disposal of the H.M.O.P.

4. Heard the learned counsel for the petitioner and perused the materials placed before this Court.

5. On a perusal of the docket orders in page Nos.12 and 13 of the typed set of papers, it is seen that initially counter has not been filed and the case was adjourned for almost 6 times. On 12.12.2019, the counter has been filed and the matter was referred to Lok Adalat for settlement. On 12.12.2020, the

case was again sent back to the lower Court on account of non-settlement in the Lok Adalat and the matter has been kept pending for enquiry till date. This Court is not inclined to pressurize the trial Court to dispose of the H.M.O.P., as it is seen from the adjudication orders that the case was heard by the trial Court only for few hearings. Hence, this Court is of the view that the trial Court can consider the said pleadings of the petitioner and proceed further, as per the procedure established under law, as expeditiously as possible.

6. Accordingly, the present Civil Revision Petition stands disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

sbn

To

The Subordinate Judge,
Gingee.

+1cc to Mr.R.Thanjan, Advocate, S.R.No.17205

सत्यमेव जयते

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