

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2021

C O R A M

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

Review Application No.74 of 2021

M.Arunadevi ... Petitioner

Vs.

Mr.V.Vinod Kumar ... Respondent

Prayer: This Review Petition is filed against the order passed with respect to imposing costs of Rs.500/- on Mrs.S.Sridevi, counsel for the respondent, to be paid to the State Legal Service Authority, in C.R.P.No.197 of 2021 dated 15.2.2021.

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For Petitioner

... M/s.S.Sridevi

ORDER

This Review Petition is filed against the order passed by this Court with respect to imposing costs of Rs.500/- on Mrs.S.Sridevi, counsel for the respondent/wife, to be paid to the State Legal Service Authority, in C.R.P.No.197 of 2021 dated 15.2.2021.

2. The said Civil Revision Petition has been filed by the respondent/husband to direct the Principal Family Court, Chennai, for speedy disposal of the Divorce Petition in O.P.No.3837 of 2013.

3. Having considered the facts and circumstances of the case and submissions made by the counsel on either side, this Court by its order dated 15.02.2021, directed the Court below to dispose of the divorce petition in O.P. No.3837 of 2013, within a period of nine months from the date of receipt of a copy of the said order. The petitioner/husband shall continue the monthly maintenance as ordered by the learned Judicial Magistrate, Ambattur, in D.V.No.7 of 2014 dated 15.3.2018. With the above said direction, the Civil Revision Petition was disposed of.

4. Now, the learned counsel for the petitioner/wife submitted that she is the counsel for the petitioner/wife in the Family Court and at the time of Civil Revision Petition came up before this Court, she came and represented before this Court that maintenance amount is not being paid regularly and the respondent/husband has to pay the arrears amount. However, this Court has not taken into account the aforesaid submissions and stated in paragraph No.5 in the said order that on going through the averments and the bank statement filed by the learned counsel for the husband/respondent herein, it is seen that the maintenance amount has been regularly paid by the husband and he has no due. It has been further submitted by the learned counsel for the petitioner/wife that the respondent/husband had stated false statement before this Court and had obtained the said order of this Court.

5. Heard, the learned counsel for the Review Petitioner.

6. The respondent/husband in the Civil Revision Petition was before this Court only for speedy disposal of the divorce petition in O.P.

No.3837 of 2013, which is of the year 2013. After considering the prayer in the Civil Revision Petition, this Court directed the petitioner/wife to cooperate with the divorce proceedings in O.P.No.3837 of 2013, pending on the file of the Principal Family Court, Chennai. Further, the learned Principal Family Judge, Chennai was directed to dispose of the divorce proceedings in O.P.No.3837 of 2013 within a period of 9 months from the date of receipt of a copy of the said order. The petitioner herein shall continue to pay the monthly maintenance as ordered by the learned Judicial Magistrate, Ambattur, in D.V.No.7 of 2014 dated 15.3.2018. Further, this Court is nothing to do with the maintenance amount whether it is paid or not since the petitioner cannot have any grievance on this aspect and other things.

7.Now, the present review petition is filed to review the order dated 15.02.2021 passed by this Court in respect of imposing cost of Rs.500/- on Ms.S.Sridevi, the learned counsel for the petitioner/wife, to be paid to the State Legal Aid Services Authority, Chennai, within a period of two weeks from the date of receipt of a copy of the said order.

8. When the Civil Revision Petition was taken up for hearing, Ms.S.Sridevi, the learned counsel for the respondent/wife, who is practising in the Bar Council of Tamilnadu and Puducherry for more than 20 years, in spite of this Court was giving warnings during the hearings, started interfering with the Court proceedings without filing vakalat on behalf of the wife and without seeking leave of this Court. Hence, this Court had imposed cost of Rs.500/- on Ms.S.Sridevi, the learned counsel for the respondent, only to maintain the decorum of the Court and not for any other reasons.

9. In view of the above, the present Review Petition stands dismissed. Consequently, connected C.M.P.No.6901 of 2021 is closed.

सत्यमेव जयते

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Index: Yes/No.

Speaking/Non-Speaking order

Internet: Yes/No.

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V.BHAVANI SUBBAROYAN, J.,

Lbm

To:

1. The Principal Judge,
Family Court, Chennai
2. The Secretary
The State Legal Services Authority,
Chennai.



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