



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

C.R.P. No.1247 of 2021
(Through Video Conference)

Subashini Marimuthu

..Petitioner

Versus

1. The Branch Manager,
Union Bank of India
139 Prakasam Road,
Manadi Police Colony
George Town,
Chennai.

2. The Branch Manager,
Indusind Bank, Anna Nagar Branch
Anna Nagar, Chennai 600 040

3. Suresh Selvathurai

..Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to direct the XV Assistant City Civil Court, Chennai to dispose of O.S.No.4143 of 2020.

For Petitioner : M/s.M.R.Ramasubramaniam Raja

For Respondent : M/s. R.Siva for R3
No appearance for R1 & R2

O R D E R

This petition is filed seeking a direction to the learned XVth Assistant City Civil Court, Chennai to dispose of O.S.No.4143 of 2020.

2. The learned counsel for the petitioner submitted that the suit in O.S.No.4143/2020 was filed for the reliefs of (1) declaring the agreed order dated 18.08.2020 passed by the Circuit Court of the XIIth Circuit Will County, Illinois in Case No.2019D705 is valid and binding on the defendants.



3. The other two prayers are for directing the defendants 1 and 2 to produce account details of Account Numbers 332602020045084, 332603730002137 and 100039971963, 100039971972 respectively including the account statements for the eight financial years from the year 2013 onwards.

4. The learned counsel for the 3rd respondent opposed this petition on the ground that in the final order passed by the Circuit Court of the XIIth Circuit Will County, Illinois, on 20.07.2021, the order dated 18.08.2020 was vacated and therefore, the first prayer does not survive. He further submitted that there is no Presiding Officer as of now in Assistant City Civil Court and he has not even filed written statement in this case.

5. Admittedly, the suit is filed only in the year 2020. There may be cases pending for more than five years. Petitioner has not made out any specific reason for early disposal of this case. However, it is seen from the judgment for dissolution of marriage that dissolution of marriage was ordered as per the conditions incorporated in the marital settlement agreement. Be that as it may, this petition is filed with a limited prayer for disposal of O.S.No.4143 of 2020 within a time to be specified.

6. Considering the rival submissions and also the fact that the suit is of the recent origin filed only in the year 2020, this Court is not inclined to fix any time frame. However, the learned Judge is directed to dispose the suit as expeditiously as possible.

7. The Civil Revision Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

RR

To:

1. The XV Assistant City Civil Court,
Chennai



2. The Branch Manager,
Union Bank of India
139 Prakasam Road,
Manadi Police Colony
George Town,
Chennai.

3. The Branch Manager,
Indusind Bank, Anna Nagar Branch
Anna Nagar, Chennai 600 040

+1cc to Mr.M.R.Ramasubramaniam Raja, Advocate, S.R.No.44179

+2cc to Mr.K.J.Parthasarathy, Advocate, S.R.No.43757

C.R.P.No.1247 of 2021

CA (CO)
RGA (24/09/2021)