

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2021

CORAM

THE HON'BLE Mr. JUSTICE G.CHANDRASEKHARAN

C.R.P.(PD) No.1242 of 2021

Kamalchand

...Petitioner

Vs.

Payalkumari @ Sushmitha

...Respondent

Prayer :- Civil Revision Petition is filed under Article 227 of the Constitution of India to issue direction to the learned Sub Judge, Ulundurpet, to dispose of H.M.O.P.No.4 of 2017 (Transferred H.M.O.P.No.177 of 2013-learned Sub Court, Villupuram) within a time frame fixed, by allowing this Civil Revision Petition.

For Petitioner : Mr.N.Manokaran
For Respondent : Mr.B.Jawahar

ORDER

This Civil Revision Petition is filed, to issue direction to the learned Sub Judge, Ulundurpet, to dispose of the H.M.O.P.No.4 of 2017 (Transferred H.M.O.P.No.177 of 2013-learned Sub Court, Villupuram)

within a time frame.

2.The learned counsel for the petitioner would submit that the H.M.O.P.No.4 of 2017 was filed by the respondent - Husband under Section 13(1) (ia) of the Hindu Marriage Act, 1955, for divorce.

3.This petition was originally filed before the Principal Sub-Judge, Villupuram, and taken on file as H.M.O.P.No.177 of 2013 and now it is pending before the Sub-Judge, Ulundurpet in H.M.O.P.No.4 of 2017.

4.This Court by order dated 02.07.2021 directed the learned Sub-Judge, Ulundurpet, to inform the outer time line within which he would be in a position to dispose of the case. Accordingly, report has been received from the learned Sub-Judge, Ulundurpet, stating that he will be in a position to dispose of the main petition within a period of three months from the date of receipt of the order of this Court, provided both the parties co-operate for early disposal.

5.The learned counsel for the respondent appeared through video conference and he also submitted that a time scale may be fixed for the early disposal of the H.M.O.P.No.4 of 2017.

6.As seen from the facts narrated above, the H.M.O.P.No.4 of

2017 was originally filed in the year 2013 and it is pending for almost eight years. So far only one witness had been examined on the side of the petitioner herein and the case stands posted for petitioner side further evidence.

7.Taking note of the fact that the H.M.O.P.No.4 of 2017 was originally filed in the year 2013 and the submission made by the learned counsel for both the parties and that they expressed their willingness to cooperate for early disposal, this Court is inclined to direct the learned Sub-Judge, Ulundurpet, to dispose of the case at the earliest.

8.Accordingly, the learned Sub-Judge, Ulundurpet is directed to dispose of the H.M.O.P.No.4 of 2017 as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order.

9.In the result, this Civil Revision Petition is disposed of. There is no order as to costs.

09.08.2021

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Index:Yes/No

3/4

Internet: Yes/No
Speaking Order: Yes/No

G.CHANDRASEKHARAN.J,

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To
The Sub-Judge, Ulundurpet.



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