

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

C.R.P. (PD) No.1567 of 2021

S.Divya

...

Petitioner /
Respondent

versus

P.S.Narayanan

...

Respondent /
Petitioner

PRAYER: Civil Revision Petition has been filed under Article 227 of the Constitution of India, to direct the Family Court, Salem, to dispose of H.M.O.P.No.587 of 2019 at an early date.

For Petitioner : Mr.PL.Narayanan

ORDER

This Civil Revision Petition is filed seeking direction to the learned Family Judge, Salem, to dispose of H.M.O.P.No.587 of 2019 at an early date to be fixed by this Court.

2. The learned counsel for the petitioner submitted that, the respondent has filed the petition under Section 13(1)(ia & ib) of the Hindu Marriage Act, 1955, seeking divorce from the petitioner. In fact, the parties had entered Dissolution of Marriage Deed dated 23.12.2018. But some reason or other, there was no reconciliation to file this petition for divorce by mutual consent. However, this document makes it clear that, the parties intended to terminate their marriage. It is not known why the parties have not chosen to file petition for divorce by mutual consent after alleged execution of the Dissolution of Marriage Deed dated 23.12.2018.

3. With regard to the claim that the learned Family Judge, Salem, to be directed to dispose of H.M.O.P.No.587 of 2019, within the time frame to be fixed by this Court, this Court is of the considered view that, due to heavy pendency of cases, especially the matters related to marital dispute, no time frame can be fixed. However, considering the reasons stated by the learned counsel for the petitioner, materials produced in support of the claim of the divorce, this Court directs the learned Family Judge, Salem, to dispose of H.M.O.P.No.587 of 2019, as early as possible.

4. Now that, the proceedings are being held through videoconferencing, the learned trial Judge, is also directed to explore the possibility of conducting trial through videoconferencing by following the guidelines issued by the Hon'ble Supreme Court in the case of **SANTHINI vs. VIJAYA VENKETESH** reported in **(2018) 1 SCC 1** and the Madras High Court Video Conferencing Rules, 2020.

5. This Civil Revision Petition is ordered accordingly. However, there is no order as to costs.

10.08.2021

Speaking order / Non-speaking order
Index : Yes / No

sri

To

The Family Judge, Salem.

G.CHANDRASEKHARAN, J.

sri



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