

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

C.R.P. (PD) No.2167 of 2021

Y.Lydial @ Lydial Emily Kumari ... Petitioner

versus

T.Kumar ... Respondent

PRAYER: Civil Revision Petition has been filed under Article 227 of the Constitution of India, to direct the learned Principal Family Judge, Coimbatore, to dispose the petition in I.D.O.P.No.451 of 2016 pending on its file, within time bound manner as directed by this Court.

For Petitioner : M/s.V.S.Usharani

सत्यमेव जयते

ORDER

This Civil Revision Petition is filed seeking direction to the learned Principal Family Judge, Coimbatore, to dispose I.D.O.P.No.451 of 2016, within a time bound manner.

2. The learned counsel for the petitioner submitted that, I.D.O.P.No.451 of 2016 was filed under Section 10(1) and (IX) & (X) of the Indian Divorce Act (IV) of 1869, seeking the relief of dissolution of marriage solemnised with the respondent on 14.07.2000. The respondent has filed counter and thereafter, the respondent did not appear, therefore, *ex parte* order was passed. The case was pending for recording *ex parte* evidence from 13.11.2019 to 16.02.2021. The matter was adjourned to 20.04.2021 for orders. However, orders has not been passed and again, the matter was posted for appearance. The petitioner did not know the reason why the matter was again posted for appearance. Therefore, the learned counsel for the petitioner seeks direction to the learned Principal Family Judge for disposal of this petition in accordance with the law, within a time frame to be stipulated by this Court.

3. Considered the submissions of the learned counsel for the petitioner and perused the records.

4. It is seen from the submissions of the learned counsel for the petitioner and also the notes of adjudication that the matter was pending

for recording *ex parte* evidence from 13.11.2019 to 16.02.2021 and then posted for orders on 20.04.2021. Again, the matter was pending for appearance from 20.05.2021 to 31.08.2021. It is not known why this matter was posted for appearance from 20.05.2021 when the matter was already posted for orders on 20.04.2021.

5. This O.P. was filed in 2016 and it comes under the category of old cases pending for more than 5 years and it should be given priority for disposal. Therefore, the learned Principal Family Judge, Coimbatore, is directed to dispose I.D.O.P.No.451 of 2016 as expeditiously as possible, preferably, within a period of one month from the date of receipt of a copy of this order.

6. Accordingly, this Civil Revision Petition is disposed of. However, there is no order as to costs.

WEB COPY

06.10.2021

Speaking order / Non-speaking order

Index : Yes / No

psa / sri

3/4

G.CHANDRASEKHARAN, J.

psa / sri

To

The Principal Family Court,
Coimbatore.



C.R.P. (PD) No.2167 of 2021

WEB COPY

06.10.2021