

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2021

CORAM:

THE HONOURABLE MRS. JUSTICE S.KANNAMMAL

C.R.P.(PD).No.2409 of 2021

[video conferencing]

S.Vinoth

... Petitioner

Vs.

Priyadharshini @ Viji

... Respondent

PRAYER: Civil Revision Petition filed under Section 227 of the Constitution of India, to direct the learned Judge to expeditiously dispose of H.M.O.P.No.52 of 2019 pending on the file of the Sub Court, Ponneri.

For Petitioner : Mrs.V.Sridevi

ORDER

This Civil Revision Petition has been filed by the petitioner for directing the learned Principal Sub Judge, Ponneri to dispose of H.M.O.P.No.52 of 2019 expeditiously pending on the file of the Principal Sub Court at Ponneri.

2. Heard the learned counsel for the petitioner.

3. On perusal of “A” Diary submitted along with this petition, it is clear that there is no delay on the part of the learned Principal Sub Judge, Ponneri.

4. Of course, the respondent was set ex-parte for not filing of counter and thereafter, P.W.1 was examined on 10.03.2020 and the case was adjourned to 31.03.2020 for marking of documents and on 20.04.2020, again the case was adjourned for marking of documents by the petitioner. After that, due to Covid – 19 and Nivar Cyclone the case has been periodically adjourned. Further on 15.12.2020, 07.01.2021 and 11.02.2021 the case has been adjourned for marking of further documents and then on 22.04.2021, change of vakalat was filed by M/s.P.Manivarmar, for the petitioner and again the case was adjourned for marking of further documents on the side of the petitioner and on 05.10.2021, the case has been posted for cross of P.W.1. No doubt that the petitioner is entitled for the relief sought for in this petition when there is any wilful delay and the respondent/wife played delay tactics, in order to drag on the proceedings.

Since the petitioner himself took time to finish his side evidence, this petition filed seeking for a direction directing the learned Principal Sub Judge, Ponneri to dispose of H.M.O.P.No.52 of 2019 expeditiously, without any valid reason.

5.In the result, this Civil Revision Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

10.11.2021

Speaking/Non-speaking order

Index : Yes/No

Internet : Yes/No

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To

1. The Principal Sub Court, Ponneri.
2. The Section Officer,
V.R. Section, High Court of Madras.

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S.KANNAMMAL,J.

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