



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2021

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

C.R.P(PD) (MD) .Nos. 37 and 38 of 2021

WEB COPY

Rengaraj

: Petitioner in both C.R.Ps

Vs.

Ramya

: Respondent in both C.R.Ps.

COMMON PRAYER:- Civil Revision Petitions filed under Article 227 of the Constitution of India to direct the Subordinate Court, Sankarankovil, for expeditious disposal of the proceedings in HMOP.Nos.83 of 2019 and 58 of 2020, within a time frame fixed by this Court.

For petitioner in
both CRPS

: Mr. R. J. Karthick

For Respondent in
both CRPs

: Mr.M.P.Santhi

COMMON ORDER

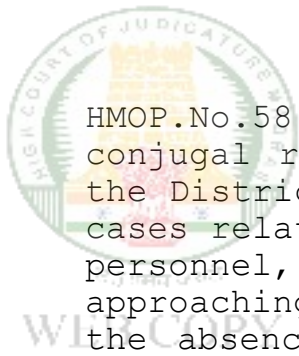
These revisions have been filed seeking a direction to dispose of the petitions in HMOP.Nos.83 of 2019 and 58 of 2020, on the file of the Subordinate Court, Sankarankovil, within a specified time fixed by this Court.

2. The revision petitioner, who is the husband of the respondent, filed a petition in HMOP.No.83 of 2009 claiming divorce on the ground of cruelty. The respondent / wife has filed a petition in HMOP.No.58 of 2020 claiming the relief of restitution of conjugal rights and that both the petitions are pending for trial before the Subordinate Court, Sankarankoil.

3. It is not in dispute that the matters have already been referred to Mediation, but, the same were returned as not successful.

4. The learned counsel appearing for the petitioner would submit that the respondent with an intention to drag on the proceedings has filed the petition in HMOP.No.58 of 2020 for restitution of conjugal rights after lapse of one year from the filing of the divorce petition. He would further submit that the respondent has been protracting the proceedings and that both the petitions have to be expedited.

5. The fact remains that the petition in HMOP.No.83 of 2019 was filed in the year 2019 for divorce and that the petition in



HMOP.No.58 of 2020 was filed in the year 2020 for restitution of conjugal rights. The High Court has already issued Circulars to the District Judiciary directing the Courts to give priority for the cases relating to the Senior Citizens, HIV affected persons, Defence personnel, women and children etc., The revision petitioner without approaching the trial Court has directly approached this Court. In the absence of total pendency particulars and the work burden of that particular Court, this Court is not inclined to give any direction to dispose of the case within the specified period of time.

6. No doubt, the trial Court is required to give priority to the cases, as per the Circulars of the High Court. The revision petitioner is at liberty to approach the trial Court and if such requisition for early trial is made, the learned Judge is directed to consider the same in the light of the Circulars issued by this Court for early trial.

7. With the above observation and direction, these Civil Revision Petitions are disposed of. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

trp
To

1. The Subordinate Court, Sankarankovil.

2. The Registrar (Judicial)
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-17778[F] dated 28/04/2021)

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