



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2021

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (MD) No.26 of 2021

WEB COPY

K.Ganesh Kumar

... Petitioner/Petitioner

-Vs-

G.Brindha Devi

...Respondent/Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned Subordinate Judge, Srivilliputhur to dispose the case in H.M.O.P.No.142 of 2017 and to expedite and complete the proceedings on or before a due date to be stipulated by this Hon'ble Court

For Petitioner : Mr.R.Muruga Boopathy

O R D E R

This Civil Revision Petition has been filed seeking a direction to the learned Subordinate Judge, Srivilliputhur, to dispose the case in H.M.O.P.No.142 of 2017, on the file of the Subordinate Court, Srivilliputhur, within the time stipulated by this Court.

2. The learned counsel for the revision petitioner would submit that the revision petitioner has filed a divorce case before the Additional Family Court, Coimbatore in H.M.O.P.No.1118 of 2017 to declare the marriage solemnized on 17.02.2016 between the petitioner and respondent as null and void. During the course of trial proceedings, the respondent filed a petition before this Court to transfer the trial proceedings to the Principal Sub-Court at Srivilliputhur and the same was ordered in Tr.C.M.P(MD).No.386 of 2017. Hence, the case was transferred to the Principal Subordinate Court, Srivilliputhur and the same was taken on file for trial proceedings in H.M.O.P.No.142 of 2017. The grievance of the petitioner is that, the respondent is not appearing before the lower Court proceedings. Though, the petitioner proposed to settle the matrimonial dispute in Lok Adalat, the respondent was not appear thereto and willfully dragging the proceedings by filing malicious applications in order to harass the petitioner. Hence, the petitioner is constrained to move the present revision petition before this Court for getting speedy disposal of H.M.O.P.No.142 of 2017.



3. Since this Civil Revision Petition is filed for early disposal of H.M.O.P.No.142 of 2017, no notice is necessary to the respondent herein.

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4. Considering the facts and circumstances of the case, this Court feels that ends of justice would be met by directing the Court below to dispose the petition in H.M.O.P.No.142 of 2017 within a time frame. Without advertting to the merits of the case, a direction is issued to the learned Subordinate Judge, Srivilliputhur, to dispose the petition in H.M.O.P.No.142 of 2017, on merits and in accordance with law within a period of six months from the date of receipt of a copy of this order.

5. With the above direction, this Civil Revision Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Cr1.Side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pkn

To

The Subordinate Judge,
Srivilliputhur.

Copy to:

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

+1 CC to M/s.R.MURUGA BOOPATHY, Advocate (SR-1767[F] dated 22/01/2021)

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DKS (CO)

NR (05/02/2021) 2P : 4C