



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : 20.04.2021

Pronounced on : 26 .04.2021

WEB COPY

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

C.R.P (MD) .No.460 of 2021

M. Sundarmahalinam : Petitioner / petitioner

Vs.

M. Murugeswari : Respondent / Respondent

PRAYER:- Civil Revision Petition filed under Article 227 of the Constitution of India to to direct the Sub Court, Uthamapalayam to dispose of the case in HMOP.No. 40 of 2019 pending on its file as expeditiously as possible.

For petitioner : Mr. S. Muniyandi

ORDER

This revision has been filed seeking a direction to dispose of petition in HMOP.No. 40 of 2019 on the file of the Subordinate Court, Uthamapalayam, within a specified time fixed by this Court.

2. Since the revision petition is filed for early disposal of the case, issuance of notice to the respondent is not necessary.

3. It is evident from the records that the revision petitioner / husband has filed a petition in HMOP.No. 168 of 2018 against the respondent / wife claiming divorce on the ground of cruelty.

4. The main contention of the revision petitioner is that he filed a petition for divorce in HMOP.No. 168 of 2018 before the Family Court, Madurai, that the same was subsequently transferred to the Subordinate Court, Uthamapalayam and re-numbered as HMOP.No. 40 of 2019, that the petition is pending for the past 2 ½ years without any progress, that the respondent has been protracting the proceedings purposefully and that therefore, the above said case has to be expedited.



5. The fact remains that the HMOP.No. 168 of 2018 was filed in the year 2018 for divorce . 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., It is pertinent to note that the revision petitioner without approaching the trial Court has directly approached this Court with the above petition for speedy disposal. 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. However, 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 disposal of the case is made, the learned trial Judge is directed to consider the same, in the light of the circulars issued by this Court.

7. With the above observation and direction, this Civil Revision Petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

trp
To

The Sub Court, Uthamapalayam.

C.R.P (MD) .No.460 of 2021

26.04.2021

GS (17.05.2021) 2P 2C