



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.06.2021

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

C.R.P. (MD).No.566 of 2021

WEB COPY

Sathiaraj : Petitioner/Petitioner
Vs.
R.Suni : Respondent/Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to direct the District and Sessions Judge, Kanyakumari District at Nagercoil to dispose petitioner in I.D.O.P.No.34 of 2019 within stipulated time that may be fixed by this Court.

For Petitioner : Mr. S.C.Herold Singh
For Respondent : Mr.Anusree Suresh

O R D E R

The Civil Revision Petition has been filed seeking a direction to dispose of the petition in I.D.O.P.No.34 of 2019, on the file of the District and Sessions Judge, Kanyakumari District at Nagercoil, within a stipulated time fixed by this Court.

2.The Revision Petitioner/husband has filed a petition in I.D.O.P.No.34 of 2019 on the file of the District and Sessions Judge, Kanyakumari District at Nagercoil, against the respondent seeking divorce on the grounds of desertion and cruelty and the same is pending.

3.The learned counsel for the revision petitioner would submit that the case is pending for filing the Dowry Harassment case withdrawal report from 25.07.2019 onwards, that respondent has not withdrawn the dowry harassment complaint, that the respondent has been prolonging the case only to harass the petitioner, that though the notice was served on the respondent on 11.03.2019, she has not filed the counter statement till now, that the petitioner is struggling a lot due to the dilatory tactics adopted by the respondent and that therefore, the trial of the case has to be expedited.

4.The learned counsel for the respondent would submit that the petitioner has suppressed the many material facts and also the previous proceedings between the parties, that he has filed the divorce petition alleging false and untenable grounds and that he is not entitled to get any relief.

5.Admittedly, the IDOP was filed in the year 2019. The High
<https://hcservices.ecourts.gov.in/hcservices/>



Court has already issued circulars to the District Judiciary, directing the Courts to give priority for the cases relating to senior citizens, HIV affected persons, defence personnel, women and children etc., It is to be noted that the revision petitioner without approaching the trial Court, has directly come forward with the present Revision Petition before this Court, seeking early 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 a specified period of time. Generally, the trial Court is required to give priority to the cases, as per the circulars of this Court.

6. In view of the above, the revision petitioner is at liberty to approach the trial Court and if such requisition is made, the trial Court is required to consider the same, in the light of the circulars issued by this Court for early disposal.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Das

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The District and Sessions Judge,
Kanyakumari District at Nagercoil.

+1 CC to M/s.SHARATH MADAV, Advocate (SR-19298[F] dated 15/06/2021)
+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-19412[F] dated 16/06/2021)

C.R.P. (MD) .No.566 of 2021

14.06.2021

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