



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2021

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

C.R.P(MD).No.1074 of 2021

N. Felcy : Petitioner / petitioner

Vs.

T. Rajan : Respondent / Respondent

PRAYER:- Civil Revision Petition filed under Article 227 of the Constitution of India to direct the learned Judge, Family Court, Nagercoil, to dispose of the case in DOP.No. 420 of 2020 pending on its file as expeditiously as possible.

For petitioner : Mr. J. John Jayakumar

ORDER

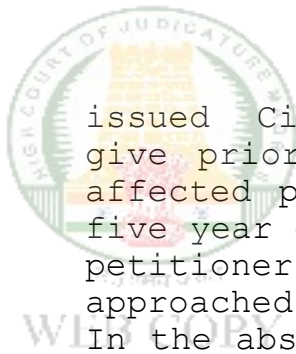
This revision has been filed seeking a direction to dispose of petition in DOP.No. 420 of 2020 on the file of the Family Court, Nagercoil, within a specified time fixed by this Court.

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 / wife has filed a petition in DOP.No. 420 of 2020 against the respondent / husband claiming divorce on the ground of cruelty.

4. The main contention of the revision petitioner is that she filed a petition for divorce in DOP.No. 320 of 2019 before the Principal District Court, Nagercoil, that the same was subsequently transferred to the Family Court, Nagercoil and re-numbered as DOP.No. 420 of 2020, that the petition is pending for the past 2 years without any progress, that the respondent has been protracting the proceedings purposefully without filing counter and that therefore, the above said case has to be expedited.

5. The fact remains that the D.O.P. No. 420 of 2020 was filed in the year 2019 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, more than five year old cases 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 (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

trp

To

The Judge Family Court, Nagercoil.

+1 CC to M/s.J. JOHN JAYAKUMAR, Advocate (SR-25410[F] dated 05/08/2021)

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MGJ(12.08.2021) 2P 3C