



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2021

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THE HONOURABLE MS.JUSTICE P.T.ASHA

C.R.P (PD) (MD)No.1714 of 2021

S.Suresh

... Petitioner

Vs.

G.Srilakshmi

... Respondent

PRAYER:- Civil Revision Petition filed under Article 227 of Constitution of India, to direct the learned Sub Judge, Thuraiyur, to expedite the proceedings in H.M.O.P.No.28 of 2018 within the stipulated time as fixed by this Court.

For Petitioner : Mr.S.Deenadhayan

ORDER

The above revision has been filed by the petitioner/husband seeking to expedite the hearings in H.M.O.P.No.28 of 2018.

2.The respondent/wife has filed a petition in H.M.O.P.No.28 of 2018 for restitution of Conjugal rights and the petitioner/husband has filed a petition for divorce in H.M.O.P.No.274 of 2018.

3.It is the case of the petitioner, as seen from the B-diary extract, that the above H.M.O.P has been pending since 09.05.2018. B-diary extract would show that the application in I.A.No.622 of 2018 had been dismissed and the same was later restored on 03.12.2018. From 03.12.2018, this interlocutory application has been pending without disposal. It is seen that the respondent/wife had earlier filed a transfer petition to transfer the petition in H.M.O.P.No.274 of 2018 filed by the petitioner/husband to be tried along with her petition in H.M.O.P.No.28 of 2018 on the file of Sub Court, Thuraiyur and the same has been ordered. The parties have been appearing before the Sub Court since the year 2018 and the B-diary extract would indicate that the counter in H.M.O.P has been filed as early as on 01.08.2018. However, there has been no progress, since the interlocutory application in I.A.No.622 of 2018 is pending.

4.In these circumstances, the Civil Revision Petition is allowed and the learned Subordinate Judge, Thuraiyur, is directed to dispose of petitions in H.M.O.P.Nos.28 and 274 of 2018 within a



period of four months from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS I)

WEB COPY

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

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 Subordinate Judge,
Thuraiyur.

+1 CC to M/s.S.DEENADHAYALAN, Advocate (SR-33834[F] dated
09/11/2021)

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RS (01.12.2021) 2P 3C