



WEB COPY



CRP.(PD).No.657/2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2022

CORAM:

THE HON'BLE Mr. JUSTICE N.SESHASAYEE

CRP.(PD)No.657 of 2022

S.Menaka

... Petitioner/Respondent

Vs

K.S.K.Nepolian Socraties

...Respondent/Petitioner

PRAYER: The Civil Revision Petition is filed under Article 227 of the Constitution of India, pleased to dispose the above said O.P.No.4812/2019 on the file of the Hon'ble Vth Additional Family Court at Chennai within the stipulated time that may be fixed by this Hon'ble Court.

For Petitioner : Mr.G.Mohana Krishnan



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ORDER

The Revision Petitioner herein is the wife of the respondent and she is also the respondent in H.M.O.P 4812 of 2019 on the file of the Vth Additional Family Court, Chennai. The respondent has filed the said petition for dissolution of marriage.

2.The learned counsel for the revision petitioner informed that the respondent/husband as petitioner has closed his evidence during trial and the matter is now coming up for cross examination of the Revision Petitioner/R.W.1 before the trial Court. The learned counsel added that to drag on the matter, the respondent has changed at least a dozen counsel.

3.Taking into consideration the submissions made, this Court deems it appropriate to direct the family Judge to conclude the trial at the very earliest but, at any rate not later than 31.07.2022.

4.This Court also takes note of the statement made by the learned counsel for the revision petitioner to the effect that the respondent is habituated to change



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his counsel very frequently, which hampers the conclusion of the proceedings before the Family Court. If this statement is true, then the Vth Additinal Family Court Judge may have to apply his mind as to whether the respondent might be permitted to be represented by a counsel if the respondent changes her counsel in the place of the present counsel. After all, before the Family Court, the litigants do not have a vested procedural right to be represented by an advocate and their entitlement to be represented by a counsel depends on the leave that the Court grants them. But this issue is left open and is left to the judgement of the learned judge more so because other side is not heard by this Court on this point.

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

09.03.2022

Index : Yes/No
Speaking Order/Non Speaking Order
Tsg/dk

To
The Vth Additional Family Court
Chennai.



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N.SESHASAYEE, J.,

Tsg/dk

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