



C.R.P(PD).No.2008 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2022

CORAM :

THE HONOURABLE MS. JUSTICE R.N.MANJULA

C.R.P(PD).No.2008 of 2022

A.Kabil Mudaliyar

... Petitioner

Vs

M.Ponviji

... Respondent

Prayer:- Civil Revision Petition is filed under Article 227 of the Constitution of India, pleased to fix a time limit for speedy disposal of the H.M.O.P.No.735 of 2019 on the file of the Subordinate Court, Poonamallee within a stipulated time by appreciating the above stated facts and circumstances.

For Petitioner : Mr.S.Syed Mazhar Hayath

ORDER

This Civil Revision Petition has been preferred seeking for a direction for speedy disposal of the the Proceedings in H.M.O.P.No.735 of 2019 pending on the file of the learned Subordinate Judge, Poonamallee.



2. The petitioner is the husband, who has filed a petition in H.M.O.P.No.735 of 2019 for dissolution of marriage in the year 2019. The learned counsel for the petitioner submitted that the petitioner is a coolie worker and he has filed the original petition for dissolution of his marriage with the respondent; but, the respondent avoids to make regular appearance before the Court and that causes the delay in the proceedings.

3. It is seen that the respondent has also filed another petition in H.M.O.P.No.562 of 2019 for restitution of conjugal rights and the same got dismissed for default. However, it is seen from the E-Court diary that the other petition filed by the petitioner/husband in H.M.O.P.No.735 of 2019 was being adjourned for several hearings, despite the respondent did not file any counter. Subsequently, the respondent had been filed a petition to set aside the Ex-parte order and sought permission for filing counter.

4. The grievance of the petitioner is that even in that petition, the respondent has not chosen to attach her counter for the main original petition. The above



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submission could have been made before the learned Subordinate Judge, Poonamallee, when the petition for setting aside the Ex-parte order was taken up for enquiry. However, due to the long pendency of the case, it will be appreciable, if the learned Subordinate Judge, Poonamallee bestows his best interest to dispose the matter as expeditiously as possible.

5. With the above observations, this Civil Revision Petition stands disposed of and the learned Subordinate Judge, Poonamallee is directed to dispose the case in H.M.O.P.No.735 of 2019 as expeditiously as possible. No costs.

01.07.2022

rgi

Index : Yes

Internet : Yes

Speaking Order

To

1. The Subordinate Judge, Poonamallee
2. The Section Officer,
VR Section, Madras High Court,
Chennai.

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