



WEB COPY



C.R.P.No.3946 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

C.R.P.No.3946 of 2022

A.Arun

... Petitioner

Vs.

Jyothi

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, pleaded to issue a direction, directing the V Additional Family Court at Chennai to dispose of the original petition in G.W.O.P.No.5009 of 2021 on the file of the V Additional Family Court at Chennai within stipulated time.

For Petitioner : M/s.S.S.Meenakumary
for M/s. D.Balachandran
For Respondent : No Appearance

ORDER

The petitioner herein filed this revision seeking a direction to the V Additional Judge, Family Court, Chennai to dispose of the petition filed by him seeking custody of child in G.W.O.P.No.5009 of 2021 within a time stipulated by this Court.

2. Having regard to the limited prayer made in this revision, this Court is inclined to dispose of the revision even without notice to the respondent.



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3. A perusal of the E.Court entry filed in the typed set of papers would suggest that after service of notice, the matter has been adjourned from 29.08.2022 to 03.11.2022 to enable the respondent herein to file her counter. Since she failed to file her counter, it appears that she had been set *ex parte* and the matter has been adjourned to 03.12.2022 for recording *ex parte* evidence.

4. In case the respondent herein files any petition to set aside the *ex parte* order, the same shall be considered and disposed of on merits as expeditiously as possible within a period of six (6) weeks from the date of filing of said petition and the main Original Petition shall be taken up for consideration thereafter and the same shall be disposed of within a period of nine (9) months thereafter.

5. In case no petition to set aside the *ex parte* order is filed by the respondent before the Court below, the main Original Petition has to be disposed within a period of nine (9) months from the date receipt of copy of this order. Accordingly, this Civil Revision Petition is disposed of. No costs.

01.12.2022
(2/2)

Index: Yes/ No
Speaking Order / Non-Speaking Order
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To

1. The V Additional Family Court,
Chennai.



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S.SOUNTHAR, J.

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