



Order dated : 05.12.2022
Civil Revision Petition (PD) No. 4012 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

C.R.P. (PD) No. 4012 of 2022

A.R.Rajkumar

... Petitioner

Vs.

Gayathri Kumararaj

... Respondent

PRAYER: Petition filed under Article 227 of the Constitution of India praying to direct the trial court to dispose of the H.M.O.P. No. 131 of 2021 pending on the file of Subordinate Court, Pollachi, Coimbatore District within a time frame that may be fixed by the Court.

For Petitioner : Mr. S.Chandrasekar

ORDER

This civil revision petition has been filed for speedy disposal of the H.M.O.P. No. 131 of 2021 pending on the file of Subordinate Court, Pollachi, Coimbatore District within a time frame that may be fixed by the Court.



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2. The revision petitioner states that he filed the H.M.O.P. No. 131 of 2021 for dissolution of marriage solemnized between the petitioner and the respondent. The grievances of the revision petitioner are that the matter is pending for the past about more than one year and the matter is listed for mediation.

3. This Court is of the considered opinion that the dispute between the husband and wife is to be resolved by following the procedures and in the present case, the case was referred to Mediation Centre for Conciliation. That being the case, there is no reason to direct the trial court to dispose of the same as expeditiously as possible. Only after failure report from the Mediation Centre, the Court has to initiate steps to dispose of the H.M.O.P. by following the procedures. In the event of issuing any direction, when the matter is listed for Mediation, the same would cause hindrance for smooth conciliation between the parties. As far as possible, the matrimonial disputes are to be resolved by way of Conciliation or through the Mediation and the present case has already been referred to Mediation Centre for the purpose of discussion.

4. Under these circumstances, there is no useful purpose would be served by issuing direction to the trial court to expedite the trial. Thus, after completion of the Conciliation proceedings, either of the parties are at liberty to approach the trial



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court for speedy disposal of the H.M.O.P. by following the procedures as contemplated.

5. With these observations, the civil revision petition stands disposed of. No costs.

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Index : Yes

Speaking order

Maya

To

The Judge
Subordinate Court
Pollachi.



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S.M.SUBRAMANIAM., J

Maya

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