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C.R.P (MD) No.273 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 21.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

C.R.P (MD) No.273 of 2020

K.Manoharan

... Petitioner

Vs

P.Revathy

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, directing the learned Principal Sub Court, Dindigul to dispose of the HMOP No.3 of 2019 within a time that may be fixed by this Court.

For Petitioner : Mr.M.Karthikeyavenkatachalapathy

For Respondent : No appearance

ORDER

This petition has been filed for a direction to the Principal Sub Judge, Dindigul to dispose of HMOP No.3 of 2019 within a time that may be fixed by this Court.



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2.The learned Counsel for the petitioner submits that petitioner and the respondent are husband and wife. After the marriage they were living in the matrimonial home. However due to differences of opinion between them, the petitioner husband has initiated proceedings in HMOP.No.168 of 2018 before the Principal Sub Court, Trichy and at the instance of the respondent in CRP(MD)No.391 of 2018 it was transferred to the Principal Sub Court, Dindigul and re-numbered as HMOP.No.3 of 2019. In the mean time mediation was held and it ended in failure. Though the wife entered appearance she has not filed any counter affidavit by citing one reason or the other and she is dragging on the proceedings. Further the petitioner is working in Trichy and it is difficult for him to appear before the Court at Dindigul for each and every hearing. Therefore, he has filed this petition with the above prayer.

3.Though the respondent is served and his name is printed, he neither entered appearance through his counsel nor in person.



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4.The petitioner husband initiated HMOP proceedings in the year 2018 seeking divorce and it is now pending before the Principal Sub Court, Dindigul in HMOP.No. 3 of 2019. It is alleged that though the wife had entered appearance, she has not filed her counter so far. Moreover, the petitioner is working in Trichy and he finds it difficult to appear before the Court at Dindigul, for every hearing. The HMOP proceedings initiated in the year 2018 by the petitioner is pending for more than four years and this civil revision petition is filed in the year 2020. Though the respondent is served, there is no representation for her.

5.Under such circumstances, the civil revision petition is disposed of with a direction to the learned Principal Sub Judge, Dinidigul to dispose of the case in HMOP No.03 of 2019 within a period of one year from the date of receipt of a copy of this order. No costs.

21.07.2022

To
The Principal Sub Judge,
Dindigul.

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B. PUGALENDHI, J.

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