



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI**CRP (PD) (MD) No.1429 of 2022**

WEB COPY

I.Prakash

... Petitioner/Petitioner

versus

M.Arulmalar

... Respondent/Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India, seeking a direction to the Family Court, Madurai, to dispose of H.M.O.P.No.307 of 2020, pending on its file, within the time stipulated by this Court.

For Petitioner : Mr.T.Banumathy

ORDER

The petitioner is the husband and the respondent is the wife. The marriage between the petitioner and the respondent was solemnized on 24.08.2018. Due to some difference of opinion, both are living separately. Thereafter, the petitioner herein filed a divorce petition in H.M.O.P.No.412 of 2019 before the Family Court, Trichy. Subsequently, the respondent herein filed a petition, seeking for restitution of conjugal rights, in H.M.O.P.No.1313 of 2019, before the Family Court, Madurai.

2. The respondent herein filed Tr.C.M.P.(MD)No.96 of 2020 before this Court, seeking transfer of H.M.O.P.No.412 of 2019 from the file of the Family Court, Trichy, to the file of the Family Court, Madurai, to be tried along with H.M.O.P.No.1313 of 2019. This Court, by order dated 24.06.2020, allowed the petition and directed the case in H.M.O.P.No.412 of 2019 to be transferred to the Family Court, Madurai. Pursuant to the direction of this Court, the case in H.M.O.P.No.412 of 2019 was transferred to the Family Court, Madurai and renumbered as H.M.O.P.No.307 of 2020 and also tried along with H.M.O.P.No.1313 of 2019.

3. It is the grievance of the petitioner that the divorce petition was filed in the month of August 2019. On the transfer petition filed by the respondent, the divorce petition was transferred to the Family Court, Madurai, in the month of July 2020. However, the respondent is not taking any step to proceed with the case and is dragging on the proceedings by taking unnecessary adjournments. Therefore, he prays for early disposal of H.M.O.P.No.307 of 2020.



4. Considering the facts and circumstances of the case and also considering the limited prayer sought for in this petition, this Court, directs the learned Judge, Family Court, Madurai, to expedite the trial and dispose of H.M.O.P.No.307 of 2020 on merits and in accordance with law along with H.M.O.P.No.1313 of 2019, within a period of eight months from the date of receipt of a copy of this order.

5. With the above direction, the Civil Revision Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/09/2022

Sub Assistant Registrar(CS)

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To

1. THE JUDGE, FAMILY COURT,
MADURAI.

COPY TO

THE REGISTRAR(JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

CRP (PD) (MD) No.1429 of 2022

30.08.2022

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