



CRP (MD) No.2125 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 04.11.2022

CORAM:

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

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R.Nandhakumar

... Petitioner

Vs

L.Vinitha Kumari

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the Additional Subordinate Court, Tirunelveli to dispose of HMOP No.5 of 2022 within a definite time framed by this Court.

For Petitioner : Mr.U.MOhamed Aslam

For Respondent : Mr.S.Ramasamy

ORDER

This Civil Revision Petition is filed for a direction to the learned Additional Sub Judge, Tirunelveli to dispose of the case in HMOP.No.5 of 2022 within the time fixed by this Court.



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2.The learned Counsel for the petitioner submits that the petitioner filed a petition in HMOP No.5 of 2022 before the Additional Sub Court, Tirunelveli seeking restitution of conjugal rights. The learned Counsel by referring Section 21B(2) of the Hindu Marriage Act, 1955 submits that any petition filed under this Act shall be decided within a period of six months from the date of service of notice of the petitioner to the respondent. He further submits that originally the petitioner filed a petition in HMOP.No.102 of 2021 before the Sub Court, Sivakasi and later at the instance of the respondent it was transferred to Additional Sub Court, Tirunelveli and re-numbered as HMOP.No.5 of 2022.

3.The learned Counsel for the respondent submits that the respondent has filed an application seeking interim maintenance and it is posted for filing counter by the petitioner.

4.Considering that the above HMOP proceedings were initiated in the year 2021 and subsequently it was transferred and re-numbered as HMOPNo.5 of 2022 on the file of the Additional Sub Court, Tirunelveli, and also in view



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of Section 21(B) (2) of the Hindu Marriage Act, 1955 the learned Additional Sub Judge, Tirunelveli is directed to dispose of HMOP No.5 of 2022 as expeditiously as possible preferably within a period of six months from the date of receipt of a copy of this order.

5.This Civil Revision Petition is disposed of accordingly. No costs.

04.11.2022

To

The Additional Sub Judge,
Tirunelveli.



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B. PUGALENDHI, J.

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