



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 20.06.2022

CORAM:

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

C.R.P (MD)No.2446 of 2017

and

C.M.P (MD)No.11584 of 2017

Stella Gracy Mary ... Petitioner/Petitioner/Respondent
Vs

Ponnuthurai ... Respondent/Respondent/Petitioner

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for the records relating to the fair and decreetal order dated 09.10.2017 made in I.A.No.8 of 2017 in IDOP NO.6 of 2012 on the file of the Principal District and Sessions Judge, Theni, set aside the same and allow the civil revision petition.

For Petitioner : Mr.V.Janakiramulu
For Respondent : Mr.S.Palanivelayudham

ORDER

This civil revision petition has been filed as against the order dated 09.10.2017 of the Principal District and Sessions Judge, Theni, made in I.A.No.8 of 2017 in IDOP No.6 of 2012.

2.The petitioner wife has filed an interlocutory application in I.A.No.29 of 2012 seeking interim maintenance in IDOP No.6 of 2012, which was filed by the respondent husband for divorce. The trial Court partly allowed the said application and directed the husband to pay a sum of Rs.18,500/- towards maintenance and a sum of Rs.5,000/- towards litigation expenses. The husband failed to pay amount as directed and therefore, the petitioner filed another interlocutory application in I.A.No.8 of 2017 praying to either stay the proceedings in IDOP No.6 of 2012 or to dismiss it. The said application was dismissed. Aggrieved over the same, the present petition has been filed.

3.The learned Counsel for the petitioner submits that on 05.12.2013 the trial Court directed the husband to pay the maintenance amount, however, till date even single penny has not been paid by the husband.



4.The learned Counsel for the respondent submits that the petitioner is residing in abroad and he has expressed difficulty in contacting him.

5.This civil revision petition is pending from the year 2017 and according to the learned Counsel for the respondent, the respondent is unable to be contacted, therefore, this civil revision petition is disposed of with a direction to the trial Court (Family Court, Virudhunagar) to dispose of the proceedings in IDOP No.6 of 2012 as expeditiously as possible. No costs. Consequently, connected miscellaneous petition stands closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

29/06/2022

Sub Assistant Registrar(CS)

dsk

To

1.The Principal District and Sessions Judge,
Theni.

2.The Judge,
Family Court,
Virudhunagar.

COPY TO:-

The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+1 CC to M/s.S. PALANI VELAYUTHAM, Advocate (SR-27522[F]
dated 22/06/2022)

+1 CC to M/s.V. JANAKIRAMULU, Advocate (SR-27581[F]
dated 22/06/2022)

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