



C.R.P.No.1389 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.04.2023

CORAM:

**THE HONOURABLE Dr. JUSTICE D. NAGARJUN**

Civil Revision Petition (NPD).No.1389 of 2023  
and  
Civil Miscellaneous Petition No.9280 of 2023

1.A.Santhosh Kumar  
2. V.Latha

... Petitioners

Vs.

1.S.R.Gowrishankar  
2.G.Vasuki

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India, to dispose the I.A.No.04 of 2023 in O.S.No.297 of 2018 on the file of the Subordinate Court, Mettur filed under Order 45 Rule 5(2) of CPC within the stipulated time period.

For Petitioners : Mr.M.Guruprasad

ORDER

The Civil Revision Petition is filed for a direction to the learned Subordinate Judge, Mettur, to dispose of I.A.No.04 of 2023 in O.S.No.297



of 2018 within the stipulated time period fixed by this Court.

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2. It is submitted that by the learned counsel for the revision petitioner that the petitioners have filed O.S.No.297 of 2018, seeking to declare that they are adoptive parents of the minor child. The said suit was dismissed on 10.04.2023, with a direction to hand over the child to the Child Welfare Committee, within a period of 15 days from the date of Judgment.

3. It is submitted that though the petitioners have applied for certified copy of the Judgment, same has not been made ready and hence, they moved an application before the same Court to stay the operative portion of the Judgment enabling them to file the appeal and said application was posted after 15 days, by which time, the direction of the learned Subordinate Judge to hand over the child within 15 days will be over.

4. Keeping in view the direction given by the learned trial Judge in the Judgment in O.S.No.297 of 2018, to hand over the minor child to the Child Welfare Committee, within a period of 15 days from the date of Judgment, this Court hereby directs the trial Court to dispose of I.A.No.04 of 2023 in O.S.No.297 of 2018 as expeditiously as possible, preferably, within a period



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of two weeks from the date of receipt of a copy of this order and until disposal of the said I.A, the proceedings before the Subordinate Court, Mettur in O.S.No.297 of 2018, dated 10.04.2023 in so far as it relates to handing over the minor child within two weeks, are hereby stayed.

5. With the above direction, the Civil Revision Petition is disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition stands closed.

24.04.2023

ssi

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

***Note: Issue Order Copy on 26.04.2023.***

To

1. The Subordinate Judge, Mettur.
2. The Section Officer, V.R.Section,  
High Court, Madras.



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**Dr. D. NAGARJUN, J.,**

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