



C.R.P. No. 2173 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.07.2023

CORAM :

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN
C.R.P. No. 2173 of 2023

V. Rajesh

...Petitioner

.Vs.

S. Anupriya

...Respondents

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to order for a speedy trial of the cases in H.M.O.P.No.702 of 2021 on the file of the III Additional Family Court, Chennai and dispose of the same on merits within a three months and pass orders.

For Petitioner : M/s V.R. Kamalanathan

ORDER

This petition is filed to order for a speedy trial of the cases in H.M.O.P.No.702 of 2021 on the file of the III Additional Family Court, Chennai and dispose of the same



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2. The case of the petitioner is that he got married with the respondent on 16.09.2015 at NPR Thirumana Mandapam at Guduvancheri, Chengalpattu District as per Hindu rites and customs. Due to the said wedlock one child was born to them. After giving birth to child, the couple started living separately. Thereafter, for the treatment of the child the respondent started to reside in her parental home in Chennai, due to which there was a quarrel between the petitioner's family members and the respondent. Thereafter, when the mediation talks were going on, a complaint has been given by the mother of the petitioner. The petitioner has also filed I.A. No.30 of 2018 in H.M.O.P.No.348 of 2018 before the Sub Judge, Tambaram seeking for protection from the Respondent and her family members. Subsequently the respondent with the intention to delay the proceedings filed Tr.C.M.P.No.120 of 2021 to transfer the case from Subordinate Judge, Tambaram to the Family Court at Chennai and the Tr.C.M.P was ordered on 29.03.2021 and the H.M.O.P. No.348 of 2018 was transferred from the Subordinate Judge, Tambaram to the Chennai VI Additional Family Court and the case was re-numbered as H.M.O.P.No.2237 of 2021. When this being the case, a restitution petition was filed the Respondent in O.P.No.702 of 2021 on 03.02.2021 after a



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period of 4 years simply to drag on the proceedings. Hence to put a quietus to this issue, the petitioner has filed this petition to speed up the trial in H.M.O.P.No.702 of 2021.

3. The learned counsel for the petitioner submitted that the mere intention of the respondent is to drag the Court proceedings and she is not interested to settle the issue and prolonging it which causes much inconvenience to his family members.

4. In view of the above, the Learned Judge, III Additional Family Court, is directed to dispose of the H.M.O.P.No.702 of 2021 and H.M.O.P.No.2237 of 2021 within a period of six months from the date of receipt of a copy of this order.

5. With the above directions, this Civil Revision Petition is disposed of. No order as to costs.

10.07.2023

smn

Index : Yes/No

Internet: Yes/No



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To.

1. The III Additional Family Court, Chennai



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V.BHAVANI SUBBAROYAN,J.
Smn

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