



CRP No.3009 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2023

CORAM:

THE HON'BLE Mrs.JUSTICE **V.BHAVANI SUBBAROYAN**

Civil Revision Petition No.3009 of 2023

Soniya ... Petitioner

Vs.

Balakrishnan ... Respondents

Civil Revision Petition filed under Article 227 of Constitution of India to issue a direction to the learned Additional Subordinate Judge, Sathyamangalam to dispose of H.M.O.P.No.81 of 2021 within time frame to be fixed by this Court by allowing the present Revision.

For Petitioner : Mr.H.Lucia Priyadarshini

For Respondent : Mr.M.Dinesh

ORDER

The present Civil Revision Petition has been filed to issue a direction to the learned Additional Subordinate Judge, Sathyamangalam to dispose of H.M.O.P.No.81 of 2021 within time frame to be fixed by this Court.



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2. The brief facts of the case is as follows:-

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The petitioner, who is the wife of the respondent has preferred H.M.O.P.No.81 of 2021 seeking divorce on account of a matrimonial dispute. Resisting the same, a counter was filed by the respondent / husband on 17.10.2022 and I.A., was also filed by the petitioner on the same date, to mark certain documents as additional documents. Pending the said petition and I.A., the petitioner, has come up with the present petition seeking to issue directions to dispose of the H.M.O.P.No.81 of 2021 within a time frame.

3. The learned counsel for the petitioner would submit that the respondent is willfully and wantonly refusing to appear before the Family Court to record the evidence and the respondent is also threatening the petitioner's brother, who is conducting the case on her behalf. Further, the respondent has not at all co-operated with the Family Court in conducting speedy and fair trial and has been seeking multiple adjournments and not appearing for enquiry, therefore, seeks a direction to the court below to dispose of the said petition within a time frame.

4. Heard the learned counsel for the respondent on the submissions of the learned counsel for the petitioner and perused the documents placed on record.



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5. Considering the submissions of the learned counsel for the petitioner and taking note of the fact that the H.M.O.P, is pending from the year 2021 and for the purpose of enquiry, the matter has been adjourned for quite some time and the petition is pending without any progress, this Court is inclined to direct the learned Additional Subordinate Judge, Sathyamangalam to take up the case in H.M.O.P.No.81 of 2021, pass appropriate orders, as per the procedure established under Law, as expeditiously as possible without granting unnecessary adjournments and if necessary, to grant only shorter adjournments. The parties are directed to co-operate with the proceedings without seeking any unnecessary adjournments.

In view of the above, the present Revision is disposed of. No costs.

22.08.2023

Index:Yes/No
Internet:Yes/No
Speaking / Nonspeaking order
ssd



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V.BHAVANI SUBBAROYAN J.

ssd

To

The Additional Subordinate Judge,

Sathyamangalam

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