



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.09.2023

CORAM:

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

C.R.P.No.3578 of 2023
and C.M.P.No.22401 of 2023

K.Bhuvaneswari

... Petitioner

Vs.

N.Ravi

... Respondent

PRAYER:-Civil Revision Petition filed under Article 227 of the Constitution of India to direct the learned II-Additional Family Court, Chennai to dispose the E.P.No.25 of 2021 in I.A.No.3174 of 2017 in H.M.O.P.No.407 of 2014 within the stipulated period.

For Petitioner : M.Dhandapani

ORDER

This Civil Revision Petition has been filed to issue direction to the learned II-Additional Family Court, Chennai to dispose the E.P.No.25 of 2021 in I.A.No.3174 of 2017 in H.M.O.P.No.407 of 2014 within the

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stipulated period.

2. The O.P.No.407 of 2014 was filed by the respondent herein under Section 13(1) (ib) seeking divorce in which the petitioner had filed an application in I.A.No.3174 of 2017 for interim maintenance with a claim of Rs.20,000/- p.m. towards the interim maintenance from the date of petition ie., 13.11.2017 along with the litigation expenses of Rs.25,000/- before the II – Additional Family Court, Chennai, wherein the Court below by its order, dated 24.09.2020 allowed the same directing the respondent to pay a sum of Rs.9,000/- p.m. towards the maintenance from the date of the petition ie.13.11.2017 and further directed the respondent to pay the said amount on or before 5th of every English calendar month and pay the a sum of Rs.25,000/- towards the litigation expenses. Thereafter, the petitioner filed E.P.No.25 of 2021 for executing the said order and also to pay a sum of Rs.3,67,000/- towards the arrears of maintenance from 13.11.2017 to 12.01.2021 for 38 months along with litigation expenses and same is pending before

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the II-Additional Family Court, Chennai. The petitioner herein had lodged a complaint and sent warrant in E.P.No.25 of 2021 but sought no response for the same. Hence, the petitioner has come forward with the present Revision for speedy disposal of the E.P.No.25 of 2021.

3. The learned counsel for the petitioner submitted that though the I.A.No.3174 of 2017 for interim maintenance was allowed on 24.09.2020, by the II-Additional Family Court, Chennai, the respondent herein failed to pay the same from 13.11.2017 to 12.01.2021 for 38 months along with litigation expenses. Therefore, the petitioner had filed E.P.No.25 of 2021 and warrant was also sent to the respondent but it has not yielded any response from the respondent. Hence, prayed for issuance of direction to the I-Additional Family Court, Chennai, for speedy disposal of E.P.No.25 of 2021.

4. Considering the facts and circumstances of the case, this Court is of the view that it would be appropriate to issue direction to II-



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Additional Family Court, Chennai to dispose of the E.P.No.25 of 2021 as the said E.P. is of the year 2021, filed for recovery of money. Considering the same, this Court directs the II-Additional Family Court, Chennai to dispose of the E.P.No.25 of 2021 as expeditiously as possible in the manner known to law.

5. Accordingly, this Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

29.09.2023

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Index : Yes/No
Speaking order : Yes/No
Neutral Citations : Yes/No

To

The Additional Family Court-II,
Chennai.

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V.BHAVANI SUBBAROYAN,J.

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