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CRP.No. 3383 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2023

CORAM:

THE HON'BLE MRS. JUSTICE V. BHAVANI SUBBAROYAN

CRP.No. 3383 of 2023

Vijayalakshmi Nagarajan

...Petitioner

Versus

Venkat Rangan Gopalan

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India, prays to direct the VI Additional Family Court at Chennai to dispose of the OP.No. 3515 of 2016 within a time frame that may be fixed by this Court.

For Petitioner : Mr. B.S. Ajeetha

ORDER

This Civil Revision Petition has been filed seeking a direction to dispose of the OP.No.3515 of 2016 pending on the file of the VI Additional Family Court, Chennai.

2. Heard the learned counsel for the petitioner and perused the



materials placed on record.

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3. It is seen that the marriage was solemnized between the petitioner/wife and the respondent/husband on 04.12.2003. After the marriage, there was some difference of opinion between them, the petitioner has filed OP.No. 3515 of 2016 before the Family Court, Chennai, seeking divorce from the respondent/husband and to pay a sum of Rs.50,00,000/- as permanent alimony to the petitioner and her minor child. Subsequently, the matter was referred to mediation. After failing mediation, the matter was referred to regular Court. It is also seen that both parties have also filed their affidavits of assets and liabilities for deciding the quantum for permanent alimony. After filing the assets and liabilities of the respondent/husband, the petitioner/wife came to know that the respondent is earning a sum of Rs.11 lakh p.m., she has filed I.A.No. 3 of 2022 seeking to amend the prayer in the original petition to enhance the permanent alimony from Rs.50 lakh to Rs.3 Crore. Counter affidavit filed by the respondent on 26.07.2023 and trial has also commenced on 14.03.2018. Subsequently, she was examined as PW1 in chief and Exs.P1 to Ex.P8 were marked. The case was adjourned to 04.03.2020 for cross examination of PW2. However, PW2 was cross examined only on



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16.12.2020 which goes to show that the conduct of the respondent has always been to delay the matter to cause severe harassment to the petitioner. However, the respondent has not paid any arrears of amount towards interim maintenance which totally amounts to Rs.4,00,000/-. A bare perusal of the adjudication will show that the case has been delayed without any basis and has caused severe prejudice to the petitioner. The case is posted for commencement of the respondent's side evidence since 04.01.2021, but the respondent has not taken any steps to proceed with the trial in any manner.

4. Taking into the above facts and circumstances of the case and the submissions made by the learned counsel for the petitioner/wife, this Court is directed to dispose of the O.P.No. 3515 of 2016 pending on the file of the VI Additional Family Court, Chennai, as expeditiously as possible, preferably, within a period of six months from the date of receipt of a copy of this order.

5. With the above direction, the Civil Revision Petition is disposed

of. No costs.



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Index : Yes/No

Speaking Orde : Yes/No

Neutral Citation : Yes/No

msm

To

The VI Additional Family Court, Chennai.

V. BHAVANI SUBBAROYAN, J

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