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CRP.No. 3298 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2023

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

CRP.No. 3298 of 2023

S.Ravi Shankar

...Petitioner

Versus

A. Dhivya

... Respondents

Civil Revision Petition is filed under Article 227 of the Constitution of India, prays to direct the learned Family Court at Coimbatore to conduct a speedy trial and complete the GWOP.No.431 of 2023 proceedings on or before a due date.

For Petitioner : Mr.K.Thenrajan

ORDER

This Civil Revision Petition is filed seeking a direction to dispose of the GWOP.No.431 of 2023 pending on the file of the Family Court, Coimbatore.



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

3. On a perusal of the records, it is seen that the marriage between the petitioner/husband and the respondent/wife was solemnized on 12.09.2012. Out of their wedlock, the respondent got a male child. After the marriage, there was some matrimonial dispute between the petitioner and the respondent, the petitioner has filed HMOP.No. 186 of 2021 seeking to restitution of conjugal rights. While the said case was proceeded before the Family Court, the respondent filed Tr.CMP.(MD).No. 609 of 2021 seeking to transfer of the HMOP.No. 186/2021 to the Competent Court at Coimbatore and the same was transferred by order dated 16.03.2022. Then, the case has been renumbered as HMOP.No.72 of 2022 and the same was pending before the Sub Court, Karur. Thereafter, the petitioner filed CRP.(MD).No. 1643 of 2022 for speedy disposal of the case in HMOP.No. 72 of 2022 pending on the file of the Principal Sub Court at Karur. Subsequently, the petitioner filed GWOP.No. 431 of 2023 before the Family Court, Coimbatore, and the Court below directed the petitioner to meet his son.



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The petitioner further submits that generally the respondent would employ various invented reasons to delay the Court proceedings in GWOP.No. 431 of 2023 pending before the Family Court, Coimbatore. However, the respondent never allows the petitioner to visit his son till now. Hence, the petitioner's visitation rights are entirely denied by her and the interim relief was not granted by the trial Court yet. The petitioner further submits that the petitioner will be greatly prejudiced if the suitable direction is not given to the Family Court Judge, Coimbatore, to complete the entire proceedings in GWOP.No. 431 of 2023. Hence, the petitioner has come forward with the present Civil Revision Petition.

4. After hearing the submissions made by the learned counsel for the petitioner, this Court is inclined to pass the following order:-

The trial Court is directed to dispose of the GWOP.No.431 of 2023 pending on the file of the Family Court, Coimbatore, as expeditiously as possible in accordance with law.



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

of. No costs.

11.09.2023

Speaking order / Non speaking order

Neutral citation : Yes/No

msm

To

1. The Family Court, Coimbatore.
2. The Section Officer, V.R.Section,
High Court, Madras.



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V.BHAVANI SUBBAROYAN, J.

msm

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