



C.R.P.No.3475 of 2019

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 17.08.2023

CORAM

THE HON'BLE MR JUSTICE V. LAKSHMINARAYANAN

C.R.P (PD).No.3475 of 2019

D.Swaminathan @ Arun Kumar

...Petitioner/Respondent

Vs.

V.Pradeeba

...Respondent/Petitioner

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to direct the III Additional Family Court Chennai for time bound disposal of O.P.No.4153 of 2014.

For Petitioner : Ms.V.Kiruthiga
: for M/s.Sudha Ramalingam

For Respondent : M/s.A.Srinivasa Subbiah



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ORDER

This Civil Revision Petition seeks for direction of early disposal of O.P.No.4153 of 2014. The said OP has been filed for divorce on the ground of cruelty, under Section 13 (1) (ia) of the Hindu Marriage Act.

2. The respondent/wife has moved an another application under Section 9 of the Hindu Marriage Act seeking for restitution of conjugal rights in O.P.No.2125 of 2014.

3. Ms.V.Kiruthiga, learned Counsel for the petitioner, represents O.P.Nos.2125 and 4153 of 2014 had been directed to be tried together by the III Additional Family Court, Chennai. She states that the lead case is the application filed for restitution of conjugal rights and in the said proceeding, evidence has been completed on behalf of the wife and it is posted for the cross-examination of the husband. She further adds that the wife has filed an application for interim maintenance in I.A.No.4 of 2023 and the same is pending. She also adds that on 17.02.2022, she has filed the



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proof-affidavit and the matter is being adjourned for the purpose of disposal of interim maintenance application.

4.I have carefully considered the submissions of the learned counsel for the petitioner. The proceedings have been pending for nearly 9 years. However, I do not want to stifle the defense taken by the wife for interim maintenance. Therefore, the learned III Additional Family Court, Chennai is directed to dispose of the I.A.No.4 of 2023 on or before 31.10.2023 and thereafter take up the main application in O.P.No.4153 of 2014 and O.P.No.2521 of 2014 and dispose of before 31.03.2024.

5.With the above directions this civil revision petition stands disposed of. No costs.

17.08.2023

nst

Index : Yes/No

Speaking Order : Yes/No

Neutral Citations : Yes/No



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V. LAKSHMINARAYANAN.J,

nst

To:
The XVI Assistant Judge,
City Civil Court,
Chennai.

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