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C.R.P.(PD) No.3896 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

C.R.P.(PD) No.3896 of 2022

and

C.M.P.Nos.20407, 20408 & 20410 of 2022

Mavillapalli Lavanya
D/o.Late M.V.Narasimhachari

.. Petitioner

Vs.

Mavillapalli Siva Aditya
S/o.M.S.Nataraju

.. Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India praying to extend and revise the time lines for expeditious consideration and disposal of H.M.O.P.No.3529/2021 on the file of V Additional Family Court, Chennai, with appropriate guidelines.

For Petitioner : Mrs.K.Sumathi

For Respondent : Mr.Sandeep S.Shah
for M/s.Shah and Shah



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ORDER

This Civil Revision Petition on hand has been instituted for a direction to extend and revise the time lines for expeditious consideration and disposal of H.M.O.P.No.3529/2021 on the file of V Additional Family Court, Chennai, with appropriate guidelines.

2. The marriage between the petitioner and the respondent was solemnized in February'2003 and they were living together for about 18½ years and a male child was born through their wedlock and now aged about 15 years. On account of certain dark incidents in the family, the husband and wife are living separately and a criminal case is also pending against the respondent. The petitioner wife filed H.M.O.P.No.3529 of 2021 for dissolution of marriage and the grievances of the petitioner is that the Family Court is not proceeding with the case in consonance with the established procedure and the petitioner is deprived of getting fair opportunity in conducting the case.

3. This Court is not inclined to consider the allegations raised against the Family Court since the other revision filed by the petitioner in



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C.R.P.No.3897 of 2022 has been allowed. However, in the interest of justice and enabling the parties to conduct the case in a confident manner, this Court transfers the case in H.M.O.P.No.3529/2021 on the file of V Additional Family Court, Chennai, to the file of II Additional Family Court, Chennai.

4. The V Additional Family Court, Chennai, shall transmit the case papers to the II Additional Family Court, Chennai, within a period of one week from the date of receipt of a copy of this order. The II Additional Family Court, Chennai, is directed to dispose of H.M.O.P.No.3529/2021 within a period of six (6) months thereafter.

5. It is made clear that both the parties shall co-operate for early disposal of the case. No adjournments to be granted on flimsy grounds. In the event of seeking any adjournment, the Court concerned has to consider only if there is any genuine reason for granting such adjournment and by recording reasons.



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S.M.SUBRAMANIAM, J.

gm

In the result, the Civil Revision Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petitions are closed.

12.01.2023

Index:Yes

Speaking order

Neutral Citation : Yes

gm

To

1.The V Additional Family Court,
Chennai.

2.The II Additional Family Court,
Chennai.

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