



C.R.P.(MD) No.1573 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2023

CORAM

THE HON'BLE **MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI**

C.R.P.(MD) No.1573 of 2023

S.M.Shoba

... Petitioner

Vs.

S.J.Saravanan Babu

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned Family Judge, Madurai to conduct speedy trial of G.W.O.P.No.1424 of 2022, complete the trial and dispose of G.W.O.P. within the time to be fixed by this Court.

For Petitioner : M/s.M.P.Roniga

ORDER

This Civil Revision Petition is preferred by the revision petitioner for a direction to the learned Family Judge, Madurai to conduct the speedy trial in G.W.O.P.No.1424 of 2022 since the said G.W.O.P. is pending from 2022 without any progress.



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2. The learned counsel appearing for the revision petitioner would submit that the marriage between the revision petitioner and the respondent was solemnized on 11.09.2011 and out of the said wedlock, a child was born on 03.12.2012. While so, the revision petitioner and the respondent got divorced on 16.03.2019 in H.M.O.P.No.248 of 2016 on the file of the Family Court, Madurai.

3. The learned counsel for the revision petitioner would further submit that on 06.12.2022, the revision petitioner filed G.W.O.P.No.1424 of 2022 under Sections 7 & 8 of the Guardians Wards Act, 1890 and Section 25 of the Hindu Marriage Act, 1956. At the same time, the respondent has filed G.W.O.P.No.582 of 2022. Both the O.Ps. are pending without any progress and were directed to be posted on 05.07.2023 for joint trial.

4. It is submitted that the child is inclined to study in abroad and the revision petitioner is also willing to give better life to the child and therefore the revision petitioner has applied in ISGR, Sweden for better avocation. It is further submitted that it is necessary for the revision petitioner to take custody of the child at an early date since she is likely to join the duty before July 2023



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and the child has to be admitted in the school before August, 2023 for the next academic year. The respondent/husband had also sought for the custody of the child.

5. Considering the facts and circumstances of the case and the welfare of the child, the learned Family Judge, Madurai is directed to dispose of both G.W.O.P.No.1424 of 2022 filed by the revision petitioner and G.W.O.P.No. 582 of 2022 filed by the respondent on merits simultaneously, in a speedy manner, within a period of one month from today.

6. Accordingly, this Civil Revision Petition is disposed of. No cost.

03.07.2023

NCC :Yes/No
Internet: Yes/No
Index: Yes/ No
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To

The Family Court,
Madurai.



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K.GOVINDARAJAN THILAKAVADI, J.

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