



C.R.P.(MD) No.1760 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.07.2023

CORAM

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

C.R.P.(MD) No.1760 of 2023

M.Vivekkumar

... Petitioner

Vs.

A.Divya Bharathi

... Respondent

Prayer:- This Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the Subordinate Court, Thirumangalam, to dispose the H.M.O.P.No.124 of 2022 on its file, within a time fixed by this Court.

For Petitioner : Mr.M.S.Parthiban

ORDER

This Civil Revision Petition is preferred by the petitioner/husband for early disposal of H.M.O.P.No.124 of 2022 on the file of the Subordinate Court, Thirumangalam. Since this Civil Revision Petition filed by the petitioner/husband is only for early disposal, notice for the respondent/wife is not required and is therefore dispensed with.



C.R.P.(MD) No.1760 of 2023

2. Originally, the petitioner/husband filed divorce petition in H.M.O.P. 141 of 2020 before the Sub Court, Madurai on the ground of mental cruelty, while so, the respondent/wife filed H.M.O.P.No.119 of 2020 before the Sub Court, Thirumangalam for restitution of conjugal rights. Thereafter, the respondent/wife filed Tr.C.M.P.(MD) No.130 of 2022 before this Court for transfer of H.M.O.P.141 of 2020 filed by the petitioner/husband before the Sub Court, Madurai for divorce to the Sub Court, Thirumangalam to be tried together with H.M.O.P.No.119 of 2020 filed by her for restitution of conjugal rights.

3. This Court while ordering transfer of H.M.O.P.141 of 2020 from the Sub Court, Madurai to the Sub Court, Thirumangalam, directed the Sub Court, Thirumangalam, to dispose both the H.M.O.Ps., within a period of 6 months from the date of receipt of a copy of the order. The H.M.O.P.141 of 2020 filed by the petitioner/husband was accordingly transferred from the Sub Court, Madurai to the Sub Court, Thirumangalam and renumbered as H.M.O.P.No. 124 of 2022.

4. According to the petitioner/husband, the respondent/wife is intentionally dragging on the proceedings and in spite of the direction by this



C.R.P.(MD) No.1760 of 2023

Court to dispose the matter within a period of six months from date of receipt of a copy of the order in Tr.C.M.P.(MD) No.130 of 2022, the proceeding has been prolonging by the Trial Court for no valid reasons.

3. Considering the facts and circumstances of the case and earlier order passed by this Court in Tr.C.M.P.(MD) No.130 of 2022, the learned Sub Judge, Thirumangalam is directed to dispose both H.M.O.P.No.119 of 2020 and H.M.O.P.No.124 of 2022, without giving any unnecessary adjournments, by affording sufficient opportunities to the parties to put forth their contentions, expeditiously, within a period of six months from the date of receipt of a copy of this order.

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

24.07.2023

Internet : Yes/No

NCC : Yes/No

jen

To

The Judge,
Subordinate Court, Thirumangalam.



WEB COPY



C.R.P.(MD) No.1760 of 2023

K.GOVINDARAJAN THILAKAVADI, J.

jen

C.R.P.(MD) No.1760 of 2023

24.07.2023