



C.R.P.(MD) No.2068 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.08.2023

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

C.R.P.(MD) No.2068 of 2023

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... Petitioner

Vs.

Kandhadevi

... Respondent

Prayer: This Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the Sub Court, Sivakasi, Virudhunagar District to dispose the proceedings in H.M.O.P.No.86 of 2020 on its file within a period as stipulated by this Court.

For Petitioner

: Mr.R.Balamuruganantham

ORDER

This Civil Revision Petition is preferred by the petitioner for speedy disposal of H.M.O.P.No.86 of 2020 on the file of the Sub Court, Sivakasi, Virudhunagar District.

2. Since this Civil Revision Petition filed by the petitioner is only for speedy disposal of H.M.O.P., the notice for the respondent is not required and is therefore dispensed with.



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3. According to the petitioner, originally, he filed H.M.O.P.No.1116 of 2019 before the Family Court, Madurai for divorce. As per the order of this Court dated 06.01.2020 passed in Tr.C.M.P.(MD) No.511 of 2019, H.M.O.P.No.1116 of 2019 was directed to be transferred to the Subordinate Court, Sivakasi, Virudhunagar. Thereafter, H.M.O.P.No.1116 of 2019 was renumbered as H.M.O.P.No.86 of 2020. During the pendency of the H.M.O.P., the respondent appears to have filed a petition in M.C.No.27 of 2019 for interim maintenance and an order of maintenance has been passed.

4. It is submitted that even though the petition was originally filed in year 2019 and the respondent also made her appearance earlier, till date, there is no progress. It is submitted that this case is periodically adjourned for cross examination of P.W.1 and till date, P.W.1 has not been cross-examined. It is submitted that the respondent filed the petition for interim maintenance only to escape from the cross examination of P.W.1 and to drag on the proceedings.

5. It is further submitted that the order of maintenance has been under challenge in Cr.R.P.No.7 of 2023 pending before the Additional Sessions Court at Srivilliputhur, Virudhunagar District. It is submitted that because of



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the ill attitude of the respondent, the petitioner and his family members were put into harassments, mental agonies too. Therefore, the petitioner was constrained to approach this Court for early disposal of H.M.O.P.

6. Therefore, considering the facts and circumstances of the case, the learned Sub Judge, Sivakasi, Virudhunagar District is directed to dispose the H.M.O.P.No.86 of 2020 on merits, without giving any unnecessary adjournments, expeditiously, within a period of six months from the date of receipt of a copy of this order.

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

22.08.2023

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

The Sub Court, Sivakasi,
Virudhunagar District.



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K.GOVINDARAJAN THILAKAVADI, J.

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