



*C.R.P.(MD)No.2777 of 2023*

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 01.11.2023

CORAM:

**THE HON'BLE MR.JUSTICE K.MURALI SHANKAR**

**C.R.P.(MD)No.2777 of 2023**

A.Sethuramalingam

... Petitioner/  
Petitioner

Vs.

M.Saranya

... Respondent/  
Respondent

**Prayer** : This Civil Revision Petition filed under Article 227 of Constitution of India, to issue a direction to dispose of H.M.O.P.No.267 of 2022 pending on the file of the Family Court, Thoothukudi within the time as stipulated by this Court.

For Petitioner : Mr.N.Tamilmani

**ORDER**

The Civil Revision Petition has been filed seeking a direction to dispose of the petition in H.M.O.P.No.267 of 2022, pending on the file of the Family Court, Thoothukudi, within a specified time fixed by this Court.



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2. I have heard the learned counsel appearing for the revision petitioner. Since the revision petition is filed for early disposal of the case, the issuance of notice to the respondent is not necessary.

3. The revision petitioner has filed a petition in H.M.O.P.No.137 of 2020 for divorce before the Family Court, Tirunelveli and that thereafter, the respondent has filed a transfer petition in Tr.C.M.P.(MD)No.195 of 2022 before this Court and the same was allowed on 27.07.2022, subsequently, the case was transferred to the Family Court, Thoothukudi and renumbered as H.M.O.P.No.267 of 2022.

4. The learned counsel appearing for the revision petitioner would submit that the respondent is not co-operating with the trial Court to conduct the trial, that since the case is pending for the last 3 years without any progress, the revision petitioner is put to irreparable hardship and that therefore, the trial has to be expedited.

5. The fact remains that the HMOP was filed in the year 2020. The High Court has already issued circulars to the District Judiciary, directing the Courts to give priority for the cases relating to Senior Citizens, HIV



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affected persons, Defence Personnel, more than 5 year old cases etc., It is to be noted that the revision petitioner, without approaching the trial Court, has directly come forward with the present Revision Petition before this Court, seeking early disposal. In the absence of total pendency particulars and the work burden of that particular Court, this Court is not inclined to give any direction to dispose of the case within a specified period of time.

6. However, the trial Court is required to give priority to the cases, as per the Circulars of the High Court. The revision petitioner is at liberty to approach the trial Court and if such requisition for early disposal of the case is made, the learned trial Judge is required to consider the urgency for early trial, in the light of the circulars issued by this Court.

7. With the above observation and direction, the Civil Revision Petition is disposed of. No costs.

**01.11.2023**

NCC :yes/No  
Index :yes/No  
Internet:yes/No  
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**K.MURALI SHANKAR,J.**

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**To**

1. The Family Court,  
Thoothukudi.
2. The Section Officer,  
VR Section,  
Madurai Bench of Madras High Court,  
Madurai.

**Order made in**  
**C.R.P.(MD)No.2777 of 2023**

**Dated : 01.11.2023**