



C.R.P.(MD)No.3062 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.3062 of 2023

M.Karthik

... Revision
Petitioner

Vs.

R.Sangeetha

... Respondent

Prayer : This Civil Revision Petition filed under Article 227 of Constitution of India, to direct the learned Sub Judge, Uthamapalayam in Theni to expeditiously complete the proceedings in H.M.O.P.No.219 of 2022 connected with the case of H.M.O.P.No.93 of 2022 on the file of the learned Sub Court, Uthamapalayam, Theni within a stipulated time fixed by this Court.

For Petitioner : Mr.R.Manoharan

ORDER

The Civil Revision Petition has been filed seeking a direction to dispose of the petition in H.M.O.P.No.219 of 2022 connected with the case of H.M.O.P.No.93 of 2022, pending on the file of the Subordinate



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Court, Uthamapalayam, Theni District, 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.219 of 2022 seeking divorce against the respondent and the respondent has filed a petition in H.M.O.P.No.93 of 2022 seeking restitution of conjugal rights against the petitioner.

4. The learned counsel appearing for the revision petitioner would submit that because of taking frequent leave on working days to attend the hearing in Theni, the petitioner was warned in his working place not to take frequent leave or else he would either be dismissed from service or his salary would be reduced, that the respondent is attempting to drag on the proceedings and that therefore, the trial has to be expedited.

5. The fact remains that the petitions were filed only in the year 2022. The High Court has already issued circulars to the District Judiciary,



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directing the Courts to give priority for the cases relating to Senior Citizens, HIV 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.

23.11.2023

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

csn

To

1. The Subordinate Court,
Uthamapalayam.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

Order made in
C.R.P.(MD)No.3062 of 2023

Dated : 23.11.2023