



CRP.(MD)No.2907 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

CRP.(MD)No.2907 of 2023

Jebaraj

... Petitioner

Vs.

Nisha

... Respondent

Prayer : This Civil Revision Petition filed under Article 227 of the Constitution of India, to expedite the disposal of the case pending before the learned Family Court, Kanyakumari at Nagercoil in IDOP.No.494 of 2020 within the time stipulated by this Court.

For Petitioner : Mrs.S.Mahalakshmi

ORDER

The Civil Revision Petition has been filed seeking a direction to dispose of the petition in IDOP.No.494 of 2020, pending on the file of the Family Court, Kanyakumari at Nagercoil, 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 IDOP.No.494 of 2020 for dissolution of marriage against the respondent.

4. The learned counsel appearing for the revision petitioner would submit that the respondent had illegal intimacy with someone, that though the revision petitioner had stayed with the respondent for more than 10 years, there is no change in the nature of the respondent, that the respondent is attempting to prolong each and every proceedings with an ulterior motive to penalize the revision petitioner and that therefore, the trial has to be expedited.

5. The fact remains that the above petition 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 affected persons, Defence Personnel, Women and Children more than 5 year old cases etc., It is to be noted that the revision



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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.

07.11.2023

NCC :yes/No
Index :yes/No
Internet:yes/No
gns

To

Family Court, Kanyakumari at Nagercoil



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K.MURALI SHANKAR,J.

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