



C.R.P.(MD)No.2989 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.2989 of 2023

Johnson

... Petitioner/
Petitioner

Vs.

Ajimol

... Respondent/
Respondent

Prayer : This Civil Revision Petition filed under Article 227 of Constitution of India, to direct the Family Court at Nagercoil to dispose expeditiously in H.M.O.P.No.93 of 2021 within a period as fixed by this Court and grant such other reliefs as this Court deems fit in the nature and circumstances of this case by allowing this Revision Petition.

For Petitioner : Mr.A.PRabhu Selva Kumar

ORDER

The Civil Revision Petition has been filed seeking a direction to dispose of the petition in H.M.O.P.No.93 of 2021, pending on the file of the Family Court, Nagercoil, within a specified time fixed by this Court.



C.R.P.(MD)No.2989 of 2023

WEB COPY

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.62 of 2019 for divorce before the Subordinate Court, Padmanabhapuram, and that thereafter, the same was transferred to the Family Court, Nagercoil, and renumbered as H.M.O.P.No.93 of 2021.

4. The learned counsel appearing for the revision petitioner would submit that the respondent had eloped with one Ajin and illegally got married to him, for which, the revision petitioner filed the divorce petition, that the case is pending for the past four years without any progress and that therefore, the trial has to be expedited.

5. The fact remains that the HMOP was filed in the year 2019. 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, more than 5 year old cases etc., It is to be noted that the revision petitioner, without approaching the trial



C.R.P.(MD)No.2989 of 2023

WEB COPY
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.

15.11.2023

NCC :yes/No
Index :yes/No
Internet:yes/No
csm



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C.R.P.(MD)No.2989 of 2023

K.MURALI SHANKAR,J.

csn

To

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

Order made in
C.R.P.(MD)No.2989 of 2023

Dated : 15.11.2023